THE ATTORNEY GENERAL'S SEMIANNUAL REPORT ON THE FIX NICS ACT



AUGUST 2020

The Attorney General's Semiannual Report on the Fix NICS Act

The National Instant Criminal Background Check System (NICS) is a critical tool in helping keep firearms out of the hands of those who are legally prohibited from purchasing or possessing them. To function effectively, the NICS must have access to complete, accurate, and timely information submitted by relevant agencies in all levels of government across the country. In March 2018, Congress passed the Fix NICS Act (the Act) to strengthen the NICS by imposing new reporting requirements on Federal agencies and requiring the Department of Justice to coordinate with State and Indian tribal governments to improve the availability of relevant records. Pub. L. No. 115-141, 132 Stat. 1132-38.

Among other things, the Act directs the Attorney General to publish and to submit to Congress a semiannual report on Federal agency compliance with the Act. The first report was published on November 14, 2019, ¹ and described strong initial compliance with the Act's reporting requirements, along with promising data suggesting the Act was making an impact on the number and accuracy of records made available to the NICS. This is the second semiannual report under the Act, and it will address Federal agency reporting received in the intervening period—primarily the semiannual certifications for the July-December 2019 reporting period. The next semiannual report will include information on compliance by Federal agencies and states with their respective four-year implementation plans that were submitted last year and described in the first report.

As this report demonstrates, compliance with the Act continues to be strong. During this period, certifications were submitted by 48 Federal agencies, including 3 from agencies that had not previously submitted certifications. Dialogue and collaboration between submitting entities and the NICS staff—necessary components of sustained progress—also remain strong.

These efforts are paying off. Between April 2018 (immediately after passage of the Act) and March 2020:

- There was an increase of 8,142,351 records in the three national databases searched with every NICS check—an 8.1 percent increase. In addition, there was a nearly 19 percent increase in records in one of those databases, the NICS Indices.
- The number of Firearm Retrieval Referrals (FRRs) (where a prohibited person is able to purchase a firearm because the background check could not be concluded within three business days due to incomplete records) continued to decrease each month in comparison to the same month during the previous year, for an average monthly decline of 102 FRRs.

These figures are promising, but they tell only part of the story. Just as important are the systemic changes being made as Federal agencies continue to execute their implementation

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¹ See https://www.justice.gov/ag/fix-nics-report-2019.

plans. The improvements resulting from these new policies and procedures may be harder to quantify, but they are essential for the Act to have a lasting impact.

I. Background²

The NICS is a computerized system designed to help determine if a person is disqualified from possessing or receiving firearms by conducting a search of available relevant records. The databases searched by the NICS contain records with information relevant to the various legal prohibitions against firearm possession and purchasing under both Federal and State law. When a Federal Firearms Licensee initiates a NICS transaction, a name check is conducted to search three national databases for possible matches.³

The most recent attempt to improve the accuracy, completeness, and timeliness of the information made available to the NICS is the Fix NICS Act of 2018. The Act imposes several key requirements. *First*, it requires Federal departments and agencies to submit semiannual certifications to the Attorney General indicating whether the agency is in compliance with the NICS record submission requirements. Certifications must be submitted by January 31 and July 31 of each calendar year, and must describe the agency's relevant records during the previous six-month reporting period (January 1 through June 30 for the July certification; July 1 through December 31 for the January certification). *Second*, Federal departments and agencies, States, and Indian tribal governments must establish four-year implementation plans to improve NICS record reporting, including the establishment of annual benchmarks for a number of metrics. *Third*, by the end of each fiscal year, the Attorney General must determine whether Federal agencies, States, and Indian tribal governments have achieved "substantial compliance" with the benchmarks established in their plans. *Finally*, the Department must publish and submit to Congress a semiannual report describing compliance with the Act.

The Department has implemented the Act in close coordination with the Federal Bureau of Investigation's Criminal Justice Information Services (CJIS) Division, NICS Section. As always, the NICS Section continues to engage with both States and Federal agencies to provide guidance on submitting relevant records to the NICS and to support their efforts to achieve the benchmarks established in their plans. In addition, during the most recent reporting term the Department prepared and distributed to Federal agencies a template for the required semiannual certifications in order to simplify and streamline the submission and review of these documents. The Department also reviewed agency certifications, conducted outreach to obtain clarifications where necessary, and compiled the submitted data in Appendix A.

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² For a fuller discussion of the NICS and the Fix NICS Act, please see Section I of the Attorney General's First Semiannual Report on the Fix NICS Act. *See* n.1.

³ These databases are the National Crime Information Center (NCIC), which contains information on wanted persons, protection orders, and other persons identified as relevant to the NICS searches; the Interstate Identification Index (III), which accesses criminal history records; and the NICS Indices, which contain information on prohibited persons as defined in the Gun Control Act of 1968, as amended.

II. Compliance with Fix NICS Act Requirements

This report fulfills the Attorney General's obligation to submit a semiannual report to Congress documenting a number of metrics related to compliance with the Act and NICS record submission requirements. Because the Act directs the Attorney General to determine compliance with implementation plan benchmarks by the end of the fiscal year (i.e., by September 30, 2020), this report will focus primarily on the Federal agency semiannual certifications that were submitted for the July through December 2019 reporting period, as well as one new implementation plan. Thus, for present purposes, the report must describe:

- (i) "the name of each Federal department or agency that has failed to submit a required [semiannual] certification ...;
- (ii) the name of each Federal department or agency that has submitted a required semiannual certification ... but failed to certify compliance with the record submission requirements ...;
- (iii) a detailed summary of the data, broken down by department or agency, contained in the [semiannual] certifications submitted ...; [and]
- (iv) a detailed summary of the contents and status, broken down by department or agency, of the implementation plans established under [the Act]...."

Pub. L. No. 115-141, 132 Stat. 1133-34.

The balance of the report provides information satisfying each of these requirements. As contemplated by the Act, the information provided in this report is based on the semiannual certifications and implementation plans submitted by the Federal agencies. It reflects the Department's best understanding of the submitted documents, as well as subsequent communications where clarification was necessary.

As noted in the first report, 43 Federal agencies previously certified they have no relevant records and do not expect to create any relevant records.⁴ These agencies were advised they

⁴ These 43 agencies include: Department of Agriculture, Department of Commerce, Department of Education, Department of Health and Human Services, Department of Housing and Urban Development, Department of Justice – OIG, Department of Transportation, Department of the Treasury – Office of the Special Inspector General for the Troubled Asset Relief Program, Department of Veterans Affairs – Veterans Health Administration, Central Intelligence Agency, Committee for Purchase from People who are Blind or Severely Disabled – OIG, Commodity Futures Trading Commission – OIG, Consumer Financial Protection Bureau, Corporation for National and Community Service, Corporation for National and Community Service – OIG, Council on Environmental Quality, Equal Employment Opportunity Commission, Federal Communications Commission, Federal Deposit Insurance Corporation, Federal Reserve System Board of Governors, Federal Trade Commission, Federal Trade Commission – OIG, General Services Administration, Government Accountability Office, Library of Congress, Millennium Challenge Corporation, National Aeronautics and Space Administration, National Archives and Records Administration, National Science Foundation, National Transportation Safety Board, Occupational Safety and Health Review Commission, Office of Personnel Management, Office of Personnel Management – OIG, Peace Corps, Railroad Retirement Board, Railroad Retirement Board – OIG, Securities and Exchange Commission, Small Business Administration, Smithsonian Institution, Social Security Administration, Tennessee Valley Authority, U.S.

need not submit further certifications or an implementation plan unless they begin to create relevant records. Since the last report, the following two additional Federal agencies certified they have no relevant records and do not expect to create any relevant records.

- Government Publishing Office
- Pension Benefit Guaranty Corporation

Semiannual certifications for the fourth reporting period (July-December 2019) documenting agency records were received from the following 46 Federal agencies⁵:

- Administrative Office of the United States Courts
- Amtrak Office of Inspector General (OIG)
- Board of Governors of the Federal Reserve System/Consumer Financial Protection Bureau – OIG
- Court Services and Offender Supervisions Agency
- Department of Agriculture OIG
- Department of Commerce OIG
- Department of Defense
- Department of Education OIG
- Department of Energy
- Department of Health and Human Services OIG
- Department of Homeland Security
- Department of Homeland Security OIG
- Department of Housing and Urban Development OIG
- Department of the Interior
- Department of the Interior OIG
- Department of Justice
- Department of Labor
- Department of Labor OIG
- Department of State
- Department of State OIG
- Department of the Treasury Bureau of Printing and Engraving
- Department of the Treasury Internal Revenue Service
- Department of the Treasury OIG
- Department of the Treasury Office of the Treasury Inspector General for Tax Administration

Agency for International Development, and U.S. Trade Representative. In the last report, the Department of the Treasury – Mint Police was inadvertently included in this list.

⁵ The Department asked agencies to submit a single certification on behalf of the entire agency, including any subdivisions of the agency. The Department later clarified that an agency's Office of the Inspector General (OIG) could submit a separate certification. Throughout this report, any reference to documents submitted by a subdivision of an agency are so designated; where no such designation appears, the reference is to the broader agency.

- Department of the Treasury Mint Police
- Department of Veterans Affairs Veterans Benefits Administration
- Department of Veterans Affairs OIG
- Environmental Protection Agency
- Environmental Protection Agency OIG
- Export-Import Bank of the United States OIG
- Federal Deposit Insurance Corporation OIG
- Federal Housing Finance Agency OIG
- General Services Administration OIG
- Government Publishing Office OIG
- Library of Congress OIG
- National Aeronautics and Space Administration OIG
- National Archives and Records Administration OIG
- Nuclear Regulatory Commission
- Pension Benefit Guaranty Corporation OIG
- Pretrial Services Agency
- Securities and Exchange Commission OIG
- Small Business Administration OIG
- Social Security Administration OIG
- United States Agency for International Development OIG
- United States Postal Service
- United States Postal Service OIG

Appendix A summarizes the data contained in certifications for the four reporting periods that have elapsed thus far (January-June 2018; July-December 2018; January-June 2019; July-December 2019). The chart reflects: (1) whether each agency submitted a certification for the relevant reporting period; (2) how many records the agency possessed during the relevant timeframe; (3) how many of those records were shared with the Attorney General, by prohibitor category; and (4) whether each agency indicated that it is in compliance with the NICS record submission requirements.

Only one agency—the U.S. Capitol Police—has not submitted any semiannual certifications. The agency previously maintained that it is not subject to the Act because it is a legislative—not an executive—agency. Nevertheless, the U.S. Capitol Police indicated that it would evaluate what responsive records it may have, and has been working with the NICS Section to that end. To date, however, no certifications have been received.

Finally, the United States Postal Service submitted its first semiannual certification during this reporting period. It also submitted an implementation plan, which is summarized in Appendix B.

III. Why It Matters

The previous report described many of the ways Fix NICS Act reporting may already be leading to improvements in NICS operations, both in terms of data and operational innovations.

Although it remains too early to see the full impact of the Act on the NICS, early indicators continue to be positive.

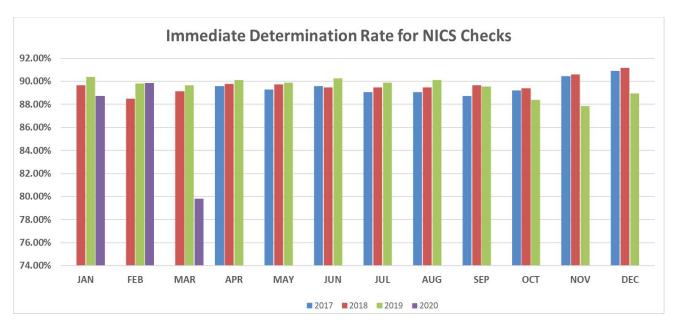
As in the first report, the overall numbers of records demonstrate continuing progress. The Department previously reported that, between April 2018 (shortly after passage of the Act) and August 2019, there was an increase of over six million additional records in the three national databases searched with every NICS check. The total number of records had jumped from 100,849,193 to 107,195,406—a 6.2 percent increase. In addition, there was a 15 percent increase in records in the NICS Indices. By March 2020, those figures had risen still further to 108,991,544 records in the NICS databases—an overall increase of 8.1 percent since April 2018 and a nearly 19 percent increase in records in the NICS Indices.

In addition, between April 2018 and March 2020, the number of FRRs decreased each month in comparison to the same month during the previous year, potentially due to the increase in available records. The average monthly decline held steady into this reporting period at 102 FRRs per month.

The previous report also highlighted improvements in the percentage of NICS checks resulting in an immediate determination compared to the previous year. Specifically, between April 2018 and August 2019, with the exception of June 2018, the Immediate Determination Rate (IDR) increased an average of 0.51 percent for each month when compared with the same month of the previous year. Since that time, however, the trend has reversed. Specifically, from April 2018 through March 2020, the IDR decreased an average of 0.43 percent compared to the same month in the previous year. Recent IDR numbers were likely affected by the extreme transaction volume experienced in March 2020. The Department anticipates that the IDR will resume the previous positive trend once transaction volumes return to historic norms.

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⁶ In March 2020, FBI reported a 41% increase in firearms background checks, recording the largest number of background checks since the NICS was launched in 1998. *See https://www.fbi.gov/file-repository/nics firearm checks - month year.pdf/view.*



Progress continues to hold steady with respect to a longstanding issue—the existence of arrest records in the NICS without a corresponding disposition (*e.g.*, acquittal, conviction, dismissal of charges, etc.). These gaps frequently cause delays in determinations because NICS examiners must conduct additional research to determine whether the prospective purchaser was ever convicted of a prohibiting crime. The previous report noted the total arrest to disposition completion percentage for all Federal agencies increased from 60 percent to 67 percent between March 31, 2018 and August 31, 2019; that number has remained level through March 2020. However, the number of Federal agencies achieving a 90-100% disposition completion rate rose from 22 to 26 since the last report.

Number of Agencies with a High Disposition Completion Rate

As of	85-89% Completion	90-100% Completion
March 31, 2018	5	15
August 31, 2019	8	22
March 31, 2020	4	26

A number of significant disposition-related efforts continue. For example, U.S. Customs and Border Protection and the FBI's CJIS Division signed a user agreement to allow connectivity for electronic disposition submissions into the Next Generation Identification (NGI) System (of which III is a part). Connectivity needs to be established and programming has not begun, but the groundwork has been established for this extensive endeavor. Likewise, the United States Army and United States Air Force have completed programming on a direct electronic submission method for disposition data to be ingested into the NGI System resulting in real-time electronic disposition submissions, but dispositions from arrests prior to this change are being submitted in the previously established electronic format. They are the first agencies, Federal or State, to utilize this electronic submission method.

Additional examples of agency progress include:

- The *Internal Revenue Service* (IRS) began entering records into the NICS Indices this past year and continues to increase its record entries. From November 2019 through March 2020, the IRS enhanced its record reporting by increasing entries in the Felony category from 119 entries to 28,277 entries.
- The *U.S. Postal Service OIG* entries continue to rise. The previous report noted an increase from 25 entries on January 31, 2019 to 519 entries as of July 31, 2019. By March 31, 2020, that number more than doubled to 1,240 entries, primarily in the Felony and Indictment categories.

Likewise, the States are making significant progress, and are taking steps necessary to ensure the long-term submission of accurate and timely records to the NICS:

- *Alaska* has been working toward making entries into the NICS Indices for non-fingerprinted felony disqualifiers. A total of 4,489 records have been entered into the NICS Indices under the felony prohibitor category as of March 2020.
 - Alaska has also completed the programming to add the Relationship to Victim (RTV) to criminal history record information. Testing of the programming is in the final stages, and Alaska anticipates adding over 1,600 records to the NICS Indices and updating over 6,500 conviction records with the RTV information. The target date for these improvements was July 2020, and the addition of this information will assist NICS users in establishing criteria for the misdemeanor crime of domestic violence prohibitor.
- In December 2019, *Maine* submitted a one-time bulk submission of indictments to the NICS Indices. Maine has subsequently automated the process of sending three types of indictment information directly to the NICS Indices and, as a result, approximately 9,732 entries have been submitted under that category as of March 2020.
 - In November 2019, the Maine Coalition on Domestic Violence and Sexual Assault formed an advisory committee on firearms relinquishment. The advisory committee made several recommendations to improve the firearms relinquishment process, including changes to the protection order forms. This led to an April 2020 meeting of the Department, the FBI, the Maine State Police, and the Maine Judicial Branch to discuss technical plans to include the Brady Indicator and use of Protection Order Code 7 when making future NCIC entries. The addition and use of these indicators will assist NICS users in establishing the criteria for the domestic violence protection order prohibitor.
- Overall, between March 2018 and March 2020, states improved disposition reporting by 2.7 percent. Four states (Delaware, Maine, Utah, and Wisconsin⁷) showed an increase greater than 10 percent, and five more states (Illinois, Indiana, Nevada, Pennsylvania, and Vermont) showed increases greater than 5 percent.

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⁷ An earlier version of this report incorrectly stated that Wyoming was one of four states that showed an increase greater than 10 percent. The correct state is Wisconsin, as listed above.

IV. Conclusion

The Fix NICS Act was designed to improve the completeness and accuracy of the information made available to the NICS so that it can function effectively, helping to keep firearms out of the hands of those who cannot legally possess them. This report demonstrates that Federal agencies are taking their responsibilities seriously and engaging in sustained efforts to improve their record submissions. As implementation plans continue to be executed, the Department looks forward to continued progress and successful coordination across all levels of government.

Appendix A - Summary of Federal Agency Semiannual Certifications

							Records	Submitte	d Broken Do	wn by Pr	ohibitor (Category		
Agency Name	Certification Period+	Agency Certified Compliance with NIAA Submission Requirements (Y/N)	Total Number of Records Found	Total Number of Records Submitted	g(1)	g(2)	g(3)	g(4)	g(5)	g(6)	g(7)	g(8)	g(9)	(n)
	2018 A	Y	84,642 ^a	$0_{\rm p}$	DNS	DNS	DNS	DNS	DNS	DNS	DNS	DNS	DNS	84,642
Administrative Office of the United States Courts	2018 B	Υ	88,886	0	DNS	DNS	DNS	DNS	DNS	DNS	DNS	DNS	DNS	88,886
Administrative Office of the Officed States Courts	2019 A	Y	90,220	0	DNS	DNS	DNS	DNS	DNS	DNS	DNS	DNS	DNS	90,220
	2019 B	Y	87,070	0	0	0	0	0	0	0	0	0	0	87,070
	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
Amtrak - OIG	2018 B	Y	18	18	16	0	0	0	0	0	0	0	0	2
Allitiak - OlG	2019 A	Y	9	9	9	0	0	0	0	0	0	0	0	0
	2019 B	Y	4	4	3	0	0	0	0	0	0	0	0	1
Board of Governors of the Federal Reserve	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
	2018 B	Y	0 ^c	0	0	0	0	0	0	0	0	0	0	0
System/Consumer Financial Protection Bureau -	2019 A	Y	2	0	DNS	DNS	0	0	0	0	0	0	0	DNS
OIG	2019 B	Y	3	3	0	0	0	0	0	0	0	0	0	3
Court Services and Offender Supervision Agency	2018 A	Y	3,622	954	0	0	954	0	0	0	0	0	0	0
	2018 B	Y	3,415	3,380	0	0	3,380	0	0	0	0	0	0	0
	2019 A	Y	3,509	3,504	0	0	3,504	0	0	0	0	0	0	0
	2019 B	Y	3,029	3,029	0	0	3,029	0	0	0	0	0	0	0
	2018 A	Y	192	192	55	0	0	0	0	0	0	0	0	137
December on the first Anni malterna OIC	2018 B	Y	129	129	31	0	0	0	0	0	0	0	0	98
Department of Agriculture - OIG	2019 A	Y	137	137	35	0	0	0	0	0	0	0	0	102
	2019 B	Y	115	115	25	0	0	0	0	0	0	0	0	90
	2018 A	Y	3	3	3	0	0	0	0	0	0	0	0	0
Domarkment of Commerce OIC	2018 B	Y	2	2	1	0	0	0	0	0	0	0	0	1
Department of Commerce - OIG	2019 A	Y	2	2	1	0	0	0	0	0	0	0	0	1
	2019 B	Y	0	0	0	0	0	0	0	0	0	0	0	0
	2018 A	N^d	3,736	3,736 ^e	1,387	17	1,533	20	0	286	0	1	254	238
Donardment of Defence	2018 B	N	4,055	4,055	2,887	0	290	12	0	661	0	3	107	95
Department of Defense	2019 A	N	6,256	6,256	1,049	0	3,568	1	0	1,318	0	8	106	206
	2019 B	N	3,754	3,754	1,215	0	1,675	0	0	244	0	3	494	123
	2018 A	Y	111	111	76	5	0	0	0	0	0	0	0	30
Department of Education OIC	2018 B	Y	77	77	57	0	0	0	0	0	0	0	0	20
Department of Education - OIG	2019 A	Y	72	72	43	2	0	0	0	0	0	0	0	27
	2019 B	Y	97	97	53	0	0	0	0	0	0	0	0	44
	2018 A	Y	13	8 ^f	1	0	1	0	0	0	0	0	0	6
Donardment of Engage	2018 B	Y	1	1	1	0	0	0	0	0	0	0	0	0
Department of Energy	2019 A	Y	1	1	1	0	0	0	0	0	0	0	0	0
	2019 B	Υ	0	0	0	0	0	0	0	0	0	0	0	0

							Records	Submitt	ed Broken Do	own by P	rohibitor	Category		
Agency Name	Certification Period*	Agency Certified Compliance with NIAA Submission Requirements (Y/N)	Total Number of Records Found	Total Number of Records Submitted	g(1)	g(2)	g(3)	g(4)	g(5)	g(6)	g(7)	g(8)	g(9)	(n)
	2018 A &		9											
Department of Health and Human Services - OIG	2018 B	Y	540 ^g	540	DNS	DNS	0	0	0	0	0	0	0	DNS
	2019 A	Y	346	346	DNS	DNS	0	0	0	0	0	0	0	DNS
	2019 B	Y	969	953	380	0	0	U	0	0	U	0	0	573
D	2018 A, 2018 B, & 2019 A ^h	27	11 100 105	10 500 405	1.506	015 600	1.015	100	11 100 001	20			2	
Department of Homeland Security		Y		10,520,425	1,586	317,683	1,017	103	11,100,001	29	0	1	0	2
	2019 B	Y *	3,124,206	3,124,206	0	240	489	151	3,123,325	*	0	*	0 *	1 *
	2018 A 2018 B	v	89	89	62	0	0	0	0	0	0	0	0	27
Department of Homeland Security - OIG	2018 B 2019 A	V	72	72	33	0	0	0	0	0	0	0	0	39
	2019 B	V	98	92	34	0	0	0	0	0	0	0	0	58
	2018 A	Y	156	20	5	0	0	0	0	0	0	0	0	15
Department of Housing and Urban Development	2018 B	Y	112	22	7	0	0	0	0	0	0	0	0	15
OIG ⁱ	2019 A	Y	75	28	10	0	0	0	0	0	0	0	0	18
Old	2019 B	Y	47	12	9	0	0	0	0	0	0	0	0	3
	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
	2018 B	*	*	*	*	*	*	*	*	*	*	*	*	*
Department of the Interior	2019 A	Y	227	218	170	11	10	0	0	0	0	1	6	19
	2019 B	Y	316	304	239	23	6	0	0	0	0	0	4	32
	2018 A	Y	19	19	9	0	0	0	0	0	0	0	0	10
	2018 B	Y	14	14	4	0	0	0	0	0	0	0	0	10
Department of the Interior - OIG	2019 A	Y	8	7	2	0	0	0	0	0	0	0	0	5
	2019 B	Y	8	8	5	0	0	0	0	0	0	0	0	3
	2018 A	Y	37,565	37,565 ^j	26,205	714	728	89	2,920	1	-1	152	2,103	2,863
	2018 B	Y	49,118	49,118	29,029	383	-263	74	13,642	0	0	4	3,143	2,584
Department of Justice	2019 A	Y	53,058	53,058	30,562	350	125	77	12,816	2	0	41	4,198	2,814
	2019 B	Y	47,042	47,042	32,219	106	-311	86	9,950	1	0	-49	3,158	1,882
	2018 A & partial													
	2018 B	Y	48	48	18	0	0	0	0	0	0	0	0	30
Department of Labor ^k	Partial 2018 B &													
	2019 A	Y	56	56	18	0	0	0	0	0	0	0	0	38
	2019 B	Y	16	16	10	0	0	0	0	0	0	0	0	6
	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
Department of Labor - OIG	2018 B	Y	243 ¹	186	64	0	0	0	0	0	0	0	0	122
Department of Euror Old	2019 A	Y	207	197	96	0	0	0	0	0	0	0	0	101
	2019 B	Y	189	187	80	0	0	0	0	0	0	0	0	107
	2018 A	Y		4,110	1,775	150	0	0	0	0	2,028	0	0	157
Department of State	2018 B	Y	2,797	2,797	601	148	1	0	0	0	1,889	0	0	158
	2019 A	Y	3,139	3,139	112	160	0	0	0	0	2,706	0	0	161
	2019 B	Y	2,992	2,992	107	104	0	0	0	0	2,652	0	0	129

							Records	Submitte	d Broken Do	wn by Pr	ohibitor (Category		
Agency Name	Certification Period+	Agency Certified Compliance with NIAA Submission Requirements (Y/N)		Total Number of Records Submitted	g(1)	g(2)	g(3)	g(4)	g(5)	g(6)	g(7)	g(8)	g(9)	(n)
	2018 A	Υ	2	2	2	0	0	0	0	0	0	0	0	0
Department of State - OIG	2018 B	Y	14	14	6	0	0	0	0	0	0	0	0	8
Department of State Of St	2019 A	Y	17	17	7	0	0	0	0	0	0	0	0	10
	2019 B	Y	9	9	4	0	0	0	0	0	0	0	0	5
	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
Department of the Treasury - Bureau of Printing	2018 B	*	*	*	*	*	*	*	*	*	*	*	*	*
and Engraving	2019 A	Y	0	0	0	0	0	0	0	0	0	0	0	0
	2019 B	Y	0	0	0	0	0	0	0	0	0	0	0	0
	2018 A	*	*	T	**	*	*	*	*	*	*	<i>x</i>	*	*
Department of the Treasury - Internal Revenue	2018 B	*	*	*	7	7	7	7	*	7	7	7	7	7
Service	2019 A	Y	1,850	Unknown	DNS	DNS	DNS	DNS	DNS	DNS	DNS	DNS	DNS	DNS
	2019 B	Y	1,462	268 ^m	268	0	0	0	0	0	0	0	0	0
Department of the Treasury - OIG	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
	2018 B	*	*	*	*	*	*	*	*	*	*	*	*	*
	2019 A	Y	31	31	16	0	0	0	0	0	0	0	0	15
	2019 B	Y	18	0	0	0	0	0	0	0	0	0	0	0
Department of the Treasury - Office of the	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
Treasury Inspector General for Tax	2018 B	Y	DNS ⁿ	DNS	0	DNS	0	0	0	0	0	0	0	0
Administration	2019 A	Y	DNS	DNS	26	DNS	0	0	0	0	0	0	0	0
Administration	2019 B	Y	10	10	10	0	0	0	0	0	0	0	0	0
Department of the Treasury - Mint Police°	2018 A, 2018 B, & 2019 A	Y	0 ^p	0	0	0	0	0	0	0	0	0	0	0
	2019 B	Y	0	0	0	0	0	0	0	0	0	0	0	0
	2018 A	Y	18,314	18,314	0	0	0	18,314	0	0	0	0	0	0
Department of Veterans Affairs - Veterans	2018 B	*	*	*	*	*	*	*	*	*	*	*	*	*
Benefits Administration	2019 A	Y	15,771	15,771	0	0	0	15,771	0	0	0	0	0	0
	2019 B	Y	2,461	2,461	O	Ü	U .	2,461	Ů	0	0	0	Ů	U
	2018 A 2018 B	Y	82	82	52 62	2	0	0	0	0	0	0	0	28 33
Department of Veterans Affairs - OIG		Y	96	96		1	0	0	Ů	0	U	0	0	
•	2019 A	Y	82	82	42	2	0	0	0	0	0	0	U	38
	2019 B	Y		96	22	2	0	0	0	0	0	0	0	72
	2018 A	I V	34	34 37	34 37	0	0	0	0	0	0	0	0	0
Environmental Protection Agency ^q	2018 B 2019 A	I V	37 45	45	45	0	0	0	0	0	0	0	0	0
	2019 A 2019 B	I V	45 22	45 22	45 22	0	0	0	0	0	0	0	0	0
	2019 B 2018 A	I V	2	3	3	0	0	0	0	0	0	0	0	0
		I V	3	3	0	0	0	0	0	0	0	0	0	4
Environmental Protection Agency - OIG	2018 B 2019 A	I V	4	4	7	0	0	0	0	0	0	0	0	0
		I V	7	7	/	0	0	0	0	0	0	0	0	0
	2019 B	I	7	/	3	U	U	U	U	U	0	U	U	4

							Records	Submitte	d Broken Do	own by P	rohibitor	Category		
Agency Name	Certification Period*	Agency Certified Compliance with NIAA Submission Requirements (Y/N)	Total Number of Records Found	Total Number of Records Submitted	g(1)	g(2)	g(3)	g(4)	g(5)	g(6)	g(7)	g(8)	g(9)	(n)
	2018 A	Y	6	6	5	0	0	0	0	0	0	0	0	1
Export Import Pouls of the United States OIC	2018 B	Y	4	4	3	0	0	0	0	0	0	0	0	1
Export-Import Bank of the United States - OIG	2019 A	Y	1	1	1	0	0	0	0	0	0	0	0	0
	2019 B	Y	4	4	1	0	0	0	0	0	0	0	0	3
	2018 A	Y	62	49	19	0	0	0	0	0	0	0	0	30
Federal Deposit Insurance Corporation - OIG	2018 B	Y	47	45	21	0	0	0	0	0	0	0	0	24
reactar peposit indurance corporation.	2019 A	Y	45	45	28	0	0	0	0	0	0	0	0	17
	2019 B	Y	55	55	24	0	0	0	0	0	0	0	0	31
	2018 A	Y	8	8 27	2	0	0	0	0	0	0	0	0	6
Federal Housing Finance Agency - OIG	2018 B	Y	27		0	0	0	0	0	0	0	0	0	27
	2019 A 2019 B	Y	90 99	90 92	30 29	0	0	0	0	0	0	0	0	60
	2019 B 2018 A	Y	76	76	28	1	0	0	0	0	0	0	0	63 47
General Services Administration - OIG	2018 B	V	58	58	18	1	0	0	0	0	0	0	0	39
	2019 A	V	47	47	22	0	0	0	0	0	0	0	0	25
	2019 B	V	39	39	16	0	0	0	0	0	0	0	0	23
	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
	2018 B	*	*	*	*	*	*	*	*	*	*	*	*	*
Government Publishing Office - OIG	2019 A	Y	0	0	0	0	0	0	0	0	0	0	0	0
	2019 B	Y	1	1	0	0	0	0	0	0	0	0	0	0
	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
1.1 (0 0)0	2018 B	*	*	*	*	*	*	*	*	*	*	*	*	*
Library of Congress - OIG	2019 A	Y	0	0	0	0	0	0	0	0	0	0	0	0
	2019 B	Y	3	3	1	0	0	0	0	0	0	0	0	2
	2018 A &													
National Aeronautics and Space Administration -	2018 B	Y	35	35	12	0	11	0	0	0	0	0	0	12
OIG	2019 A	Y	17	17	7	0	3	0	0	0	0	0	0	7
	2019 B	Y	0	0	0	0	0	0	0	0	0	0	0	0
	2018 A	Y	1	1 ^r	DNS	DNS	0	0	0	0	0	0	0	DNS
National Archives and Records Administration -	2018 B	Y	0	0	0	0	0	0	0	0	0	0	0	0
OIG	2019 A	Y	2	2	DNS	DNS	0	0	0	0	0	0	0	DNS
	2019 B	Y	1	1	1	0	0	0	0	0	0	0	0	0
	2018 A	Y	0	0	0	0	0	0	0	0	0	0	0	0
Nuclear Regulatory Commission	2018 B	Y	0	0	0	0	0	0	0	0	0	0	0	0
	2019 A	Y	0	0	0	0	0	0	0	0	0	0	0	0
	2019 B	Y *	U *	U *	0	0	U *	0	0	0	0	U *	0	U *
	2018 A	V	2	2	DNIC	0	0	0	0	0	0	0	0	DNC
Pension Benefit Guaranty Corporation - OIG	2018 B 2019 A	Y	3	3	DNS DNS	0	0	0	0	0	0	0	0	DNS DNS
	2019 A 2019 B	I V	1	1	0	0	0	0	0	0	0	0	0	DN3
	2019 D	1	1	1	U	U	U	U	U	0	U	U	U	1

Appendix A - Summary of Federal Agency Semiannual Certifications

							Records	Submitte	d Broken Do	wn by Pr	ohibitor (Category		
Agency Name	Certification Period [*]	Submission	Number of Records	Records	g(1)	g(2)	g(3)	g(4)	g(5)	g(6)	g(7)	g(8)	g(9)	(n)
	2018 A	Υ	5,097 ^s	5,097	0	0	5,097	0	0	0	0	0	0	0
Pretrial Services Agency	2018 B	Y	5,033	4,540 ^t	0	0	4,540	0	0	0	0	0	0	0
l Tetrial Services Agency	2019 A	Y	4,768	4,968	0	0	4,968	0	0	0	0	0	0	0
	2019 B	Υ	2,505	3,691	0	0	3,691	0	0	0	0	0	0	0
	2018 A	Y	6	6 ^u	DNS	DNS	0	0	0	0	0	0	0	DNS
Cognition and Evahance Commission OIC	2018 B	Y	8	8	DNS	DNS	0	0	0	0	0	0	0	DNS
Securities and Exchange Commission - OIG	2019 A	Y	5	5	DNS	DNS	0	0	0	0	0	0	0	DNS
	2019 B	Υ	4	4	4	0	0	0	0	0	0	0	0	0
Small Business Administration - OIG	2018 A	Y	6	6	3	0	0	0	0	0	0	0	0	3
	2018 B	Y	0	0	0	0	0	0	0	0	0	0	0	0
Sitiali busiless Autililistration - Old	2019 A	Y	1	1	0	0	0	0	0	0	1	0	0	1
	2019 B	Y	1	1	0	0	0	0	0	0	0	0	0	1
	2018 A	Y		78	46	0	0	0	0	0	0	0	0	32
Social Security Administration - OIG	2018 B	Y		77	54	0	0	0	0	0	0	0	0	23
Social Security Fundingstration - Old	2019 A	Y		65	31	0	0	0	0	0	0	0	0	34
	2019 B	Y	58	58	44	0	0	0	0	0	0	0	0	14
	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
United States Agency for International	2018 B	*	*	*	*	*	*	*	*	*	*	*	*	*
Development - OIG	2019 A	Y	3	3	0	0	0	0	0	0	0	0	0	3
	2019 B	Y	3	3	1	1	0	0	0	0	0	0	0	1
	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
United States Postal Service ^v	2018 B	*	*	*	*	*	*	*	*	*	*	*	*	*
	2019 A	*	*	*	*	*	*	*	*	*	*	*	*	*
	2019 B	Y	8	8	8	0	0	U	0	U	0	0	0	U
	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
United States Postal Service - OIG	2018 B	24		o a PW		ļ .			-		<u> </u>			-
	2019 A	Y		217 ^w	85	0	0	0	1	0	0	0	0	131
	2019 B	Υ	423	416	264	0	0	U	0	U	0	0	0	152

^{*} Indicates certification not submitted for relevant semiannual certification period.

[&]quot;DNS" indicates that the agency did not specify an answer in its certification.

^{* 2018} A = January 1, 2018 - June 30, 2018 2018 B = July 1, 2018 - December 31, 2018 2019 A = January 1, 2019 - June 30, 2019 2019 B = July 1, 2019 - December 31, 2019

^a For each certification period for this agency, the figure in this column represents the number of individuals charged with federal crimes in the 12-month period ending as of the last date of the subject certification period.

^b The agency does not submit records; however, the Judiciary provides DOJ with electronic access to all criminal filing documents, pretrial services reports, presentence reports and supervision status reports. In addition, the agency is participating in DOJ-led working group exploring possibility of an enterprise solution to automate the matching of arrest and disposition records.

^c The agency relies on other agencies - generally the charging agency - to submit records on its behalf.

^d The agency is working to identify reporting gaps and bring the agency into full compliance.

^e For each certification period for this agency, this figure represents records submitted to the NICS Indices only.

^f5 out of the 13 identified records were created by other agencies but the agency made arrangements for their submission.

⁸ The record figures provided by this agency for each certification period do not reflect relevant federal records submitted by DOJ.

^h The agency provided data summarized for the first three certification periods.

¹ For each certification periods for this agency, the balance of records not submitted by the agency were submitted by the charging agency or by state or local law enforcement.

^j The total records submitted by this agency for each certification period include state prohibitors. The figures reflect the net changes in each prohibitor category from the beginning of the reporting period to the end of the reporting period.

^K The agency submitted two certifications covering the first three certification periods. The first certification submitted covered the period from January 1, 2018 through March 31, 2019. The second certification submitted covered the period from April 1, 2019 through July 1, 2019. Starting with the fourth certification period, the agency is now submitting its reports on the standard schedule.

¹ For each certification period for this agency, the records figures include those records created by other agencies but possessed by this agency.

^m The agency relies on other agencies – generally the charging agency – to submit records on its behalf. The agency does not know how many of the identified records were so submitted. However, during the July-December 2019 reporting period, the agency implemented a new process for directly submitting dispositions to the FBI. The "Total Number of Records Submitted" column for this period represents the first phase of that implementation.

ⁿ The agency certified that it "submits all warrant entries" to the NICS but did not provide specific numbers in its certifications submitted for the second and third certification periods.

^o The agency submitted one certification covering the first three certification periods.

^PThe agency relies on other agencies - generally the charging agency - to submit records on its behalf.

^q The Environmental Protection Agency's Criminal Investigation Division submits certifications on behalf of its parent agency.

^r The records the agency submitted for each certification period were "federally-prosecuted matters". The agency did not specify the relevant prohibitor(s).

^s The agency provided the total number of active records in the NICS as of the date of each certification.

^tThe agency provides an electronic transfer of records to the NICS database once per week. Qualifying records in the agency's database may therefore be slightly different than those already submitted to the NICS database, within a given reporting period range.

^u The records the agency submitted for the first three certification periods were "federally-prosecuted matters". The agency did not specify the relevant prohibitor(s).

^v The United States Postal Service's Postal Inspection Service submits certifications on behalf of its parent agency.

w The agency often relies on other agencies - generally the charging agency - to submit records on its behalf. The agency confirmed that the remaining records were submitted by other agencies.

United States Postal Service

Qualitative goals and quantitative measures:

Increase the percentage of arrests with a disposition by at least 3% annually to reach the maximum number of validated records.

Conduct a monthly review of all relevant records to ensure the accuracy and reporting of criminal history data to the NICS Indices, NCIC, and NGI/III.

Measure(s) to monitor internal compliance, including any reporting failures and inaccuracies:

The CJIS Systems Officer will meet with National Headquarters personnel to evaluate need for a periodic internal audit to compare and validate case information with data provided to the NICS Indices, NCIC, and NGI/III.

Needs assessment, including compliance costs:

Does not anticipate need for additional resources. Will conduct a needs assessment after the next reporting period to ensure no additional resources are required.

Estimated date of compliance:

Already in compliance.