

FBI Criminal Justice Information Services Division
National Instant Criminal Background Check System (NICS)
Active Entries in the NICS Indices as of December 31, 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) and the U.S. Customs and Border Protection (CBP) make 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) or the appropriate branch of the military make 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 December 31, 2023**

<u>State/Territory</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
Alabama	1	0	0	0	17,616	0	0	0	0	1	1	17,619
Alaska	2,947	0	0	0	1,042	0	0	0	1,722	1,090	132	6,933
American Samoa	0	0	0	0	0	0	0	0	0	0	0	0
Arizona	749	0	0	1	63,436	0	0	0	0	4	1,357	65,547
Arkansas	15,186	0	0	0	6,278	5	0	0	5	3,731	34	25,239
California	12,322	4	1	1	1,285,484	15	2	0	13	16,736	814,843	2,129,421
Colorado	26	0	0	0	139,260	1	0	0	410	674	105	140,476
Connecticut	412,715	60	36	1,049	92,473	3	0	0	3	37,392	90,628	634,359
Delaware	12	0	0	96	15,371	0	0	0	0	12	95	15,586
Florida	69,101	129	3	134	223,282	4	0	0	30	560	12,990	306,233
Georgia	0	0	0	16	19,944	2	0	0	1	1	0	19,964
Guam	0	0	0	0	0	0	0	0	0	0	0	0
Hawaii	6	0	0	6	10,608	0	0	0	0	17	104	10,741
Idaho	0	0	0	0	43,793	0	0	0	0	1	0	43,794
Illinois	42,932	5,730	115	843	74,602	114	82	26	1,324	7,759	66,628	200,155
Indiana	564,866	5	0	4	18,724	1	0	0	5	20,578	8,838	613,021
Iowa	166	21	2	31	66,057	12	6	0	86	239	25,616	92,236
Kansas	1	0	2	4,262	8,846	0	0	0	2	10,694	475	24,282
Kentucky	4,630	12	0	35	56,618	0	0	0	0	972	0	62,267
Louisiana	646,176	144,163	3	17,612	15,359	1	0	0	17,897	48,621	13,402	903,234
Maine	85,952	3,721	0	749	6,796	0	0	0	0	3,964	2,499	103,681
Mariana Islands	0	0	0	0	0	0	0	0	0	0	0	0
Maryland	34	1	0	13	21,314	0	0	0	1	0	13,118	34,481
Massachusetts	287,047	126	0	42	80,691	0	0	0	0	2,441	523,013	893,360
Michigan	641	19	15	921	179,233	1	2	0	278	86	1,050	182,246
Minnesota	97	1	14	989	105,899	1	0	0	67	110	4,482	111,660
Mississippi	0	1	0	0	31,750	0	1	0	0	0	0	31,752
Missouri	1	0	0	0	62,626	0	0	0	0	0	0	62,627
Montana	0	0	0	0	36	0	0	0	0	1	1	38
Nebraska	15	3	1	3	35,227	1	0	0	0	5,190	2,292	42,732
Nevada	2,372	0	1	58	13,843	0	0	0	861	3,600	328	21,063
New Hampshire	169,654	0	0	877	743	0	0	0	0	15,903	1	187,178
New Jersey	42	0	0	0	559,070	39	0	0	30	44	0	559,225
New Mexico	273,021	0	0	19	42,824	0	0	0	1,651	28,464	9,737	355,716
New York	1	1	0	0	1,033,302	0	0	0	55,179	467	1,082,675	2,171,625
North Carolina	347,133	30	20	20	473,116	16	46	2	220	2,191	648	823,442
North Dakota	0	0	0	0	8,468	0	0	0	0	1	0	8,469
Ohio	3	0	0	19	83,160	0	0	0	2	4	27	83,215
Oklahoma	3,902	0	0	0	12,734	0	0	0	1	234	0	16,871
Oregon	0	1	0	8	46,537	0	0	0	0	0	1	46,547
Pennsylvania	352,175	7	0	623	1,052,953	1	2	0	0	114	123,237	1,529,112
Puerto Rico	26,420	2,472	0	0	0	0	0	0	0	0	0	28,892
Rhode Island	0	0	0	0	3,077	0	0	0	0	0	0	3,077
South Carolina	3,341	10,252	1	1,071	119,930	0	2	0	18	8	4,412	139,035
South Dakota	2	0	0	0	2,339	0	0	0	0	0	0	2,341
Tennessee	16	1	0	1	87,859	0	0	0	1	11	0	87,889
Texas	93,258	0	0	1	354,879	14	1	0	0	371	3	448,527
Utah	48	119	2	207	18,802	0	0	0	446	578	1,366	21,568
Vermont	31,640	0	0	23	3,591	1	0	0	0	1	997	36,253
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0	0
Virginia	249,686	27	0	210	361,305	0	0	0	6	4,316	65,047	680,597
Washington	1,899	68	61	100	179,614	81	5	7	6,689	665	11,442	200,631
West Virginia	3	2	0	0	80,538	3	0	0	0	0	2	80,548
Wisconsin	146	1	0	566	54,431	0	0	1	0	374	0	55,519
Wyoming	56	1	0	12	25	0	0	0	2	70	0	166
Totals	3,700,441	166,978	277	30,622	7,275,505	316	149	36	86,950	218,290	2,881,626	14,361,190

**Active Entries in the NICS Indices
As of December 31, 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	9	0	0	0	0	0	0	0	9
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.	7,829	216	1	5,758	21	0	1,437	0	1	458	27	15,748
Army, U.S.	20,874	302	46	11,924	14	0	6,953	0	0	891	0	41,004
Defense Intelligence Agency, U.S.	0	0	0	1	0	0	0	0	0	0	0	1
Department of Defense, U.S.	241	102	0	0	1	0	5,125	0	0	0	0	5,469
Marines, U.S.	1,860	40	0	560	6	3	1,543	0	3	171	0	4,186
National Security Agency, U.S.	1	0	0	7	0	0	0	0	0	0	0	8
Naval Criminal Investigative Service, U.S.	5,815	29	0	1,421	27	0	4,429	0	3	388	0	12,112
Navy, U.S.	0	0	0	0	2	0	0	0	0	0	0	2
Pentagon Force Protection Agency	2	1	0	51	1	0	0	0	0	0	0	55
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.	1,080	37	0	0	17	3	0	0	0	0	59	1,196
<u>Department of Homeland Security</u>												
Coast Guard, U.S.	79	21	0	207	0	0	32	0	0	6	0	345
Customs and Border Protection, U.S.	0	0	0	0	0	2,237,315	0	0	0	0	0	2,237,315
Federal Protective Service, U.S.	38	0	0	113	1	0	0	0	0	0	0	152
Immigration and Customs Enforcement, U.S.	0	0	0	0	0	12,010,857	0	0	0	0	0	12,010,857
Secret Service, U.S.	4	1	1	311	844	0	0	0	1	1	1	1,164
Department of Housing and Urban Development, U.S.	105	35	0	0	0	0	0	0	0	0	0	140
<u>Department of Interior, U.S.</u>												
Department of Interior, U.S.	2	2	0	0	1	0	0	0	0	0	0	5
National Park Service	0	0	0	4	0	0	0	0	0	0	0	4
<u>Department of Justice</u>												
Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S.	55	20	0	35	118	61	1	0	5	55	9	359
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	102	0	0	0	0	0	102
Federal Bureau of Investigation, U.S.	13,487	9,357	4	1,863	1,828	11,195	43	0	482	56,702	20,203	115,164
Federal Prosecuting Attorneys	1,517,329	46,124	0	298	1,186	51,590	0	0	0	182	0	1,616,709
Marshals, U.S.	0	1	0	0	1	0	0	0	0	0	0	2
Department of Labor, U.S.	53	48	2	0	0	0	0	0	0	0	0	103
Department of State, U.S.	1	0	0	0	5	18	0	66,281	0	0	0	66,305
Department of Transportation, U.S.	1	0	0	0	2	2	0	0	0	0	0	5
<u>Department of the Treasury, U.S.</u>												
Bureau of Mint Police	0	0	0	1	0	0	0	0	0	0	0	1
Department of the Treasury, U.S.	12	1	0	0	0	0	0	0	0	0	0	13
Internal Revenue Service	56,537	0	0	0	0	7	0	0	0	0	0	56,544
<u>District of Columbia</u>												
Court Services & Offender Supervision Agency D.C., U.S.	0	0	0	3,203	0	0	0	0	0	0	0	3,203
District of Columbia	1	0	0	0	1,877	0	0	0	0	0	1	1,879
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	139	41	0	0	0	0	0	0	0	0	0	180
Federal Housing Finance Agency	484	140	5	0	0	0	0	0	0	0	0	629
General Services Administration	50	4	0	0	0	0	0	0	0	0	0	54

Postal Service, U.S.	1,610	1,329	2	0	0	7	0	0	0	0	12	2,960
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.	497	53	0	0	1	1	0	0	0	0	17	569
Veterans Affairs Department, U.S.	0	0	0	0	264,893	0	0	0	0	0	18	264,911
Totals	1,628,628	57,910	61	25,766	270,851	14,311,167	19,563	66,281	495	58,857	20,357	16,459,936

Active Entries in the NICS Indices As of December 31, 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	204	0	0	0	16	0	0	0	42	201	43	506
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	850	0	0	0	0	0	0	0	850
Totals	204	0	0	850	41	0	0	0	42	201	43	1,381

Active Entries in the NICS Indices As of December 31, 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	3,700,441	166,978	277	30,622	7,275,505	316	149	36	86,950	218,290	2,881,626	14,361,190
Federal Agencies	1,628,628	57,910	61	25,766	270,851	14,311,167	19,563	66,281	495	58,857	20,357	16,459,936
Others	204	0	0	850	41	0	0	0	42	201	43	1,381
Grand Totals	5,329,273	224,888	338	57,238	7,546,397	14,311,483	19,712	66,317	87,487	277,348	2,902,026	30,822,507

Active Entries in the NICS Indices as of December 31, 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.), sections 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.

As a result of the NICS Improvement Amendments Act of 2007 (NIAA), federal agencies are required 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 NICS Indices. However, on the state level, unless otherwise instructed by state law or federal funding requirements, participation in the NICS Indices is strictly voluntary.

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 the NICS Indices is ever-changing. Contributors add, cancel, and modify 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 their entries. Invalid entries must be removed when discovered. It is important to note, not all federal agencies possess relevant records under NIAA. 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 and CBP. 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.