

**THE DEPARTMENT OF JUSTICE'S SEMIANNUAL REPORT
ON THE FIX NICS ACT**



JULY 2021

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The National Instant Criminal Background Check System (NICS) is a critical tool in helping to 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 (Department) 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 Department to publish and to submit to Congress a semiannual report on Federal agency compliance with the Act. The first report was published in November 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. The second report, published in August 2020,² demonstrated continued compliance and largely focused on Federal agency semiannual certifications.

This is the third semiannual report under the Act, and it will address: 1) Federal agency semiannual certifications for the periods January-June 2020 and July-December 2020; 2) progress reported by Federal agencies, States, and the Office of Tribal Justice on behalf of Indian tribal governments in achieving substantial compliance with the benchmarks established in their four-year implementation plans; and 3) the Department’s compliance determinations for fiscal year 2020.

As this report demonstrates, compliance with the Act continues to be strong. During these periods, certifications and progress reports were submitted by 46 Federal agencies and by all States plus the District of Columbia. Dialogue and collaboration between submitting entities and the NICS staff—necessary components of sustained progress—also remain strong.

Moreover, these efforts are paying dividends. Between April 2018 (immediately after passage of the Act) and February 2021, there was an increase of 11,502,916 records in the three national databases searched with every NICS check—an 11.4 percent increase. In addition, there was a more than a 31.4 percent increase in records in one of those databases, the NICS Indices.

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

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

² See <https://www.justice.gov/ag/page/file/1303171/download>

I. Background³

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.⁴

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 Department 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 Department 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 Federal agency compliance with the Act.

The Department continues to implement the Act in close coordination with the Federal Bureau of Investigation's Criminal Justice Information Services Division (FBI-CJIS), NICS Section. As always, the NICS Section proactively engages 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, the Department prepared and distributed to Federal agencies an updated template for the required semiannual certifications in order to simplify and streamline the submission and review of the required information. Finally, the Department received semiannual certifications and progress reports from 46 Federal agencies,⁵

³ 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, n.1.

⁴ 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.

⁵ As noted in previous reports, 45 Federal agencies previously certified they have no relevant records and do not expect to create any relevant records. These agencies were advised they need not submit further certifications or an implementation plan unless they begin to create relevant records. They 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

as well as progress reports from 50 States, the District of Columbia, and the Office of Tribal Justice on behalf of Indian tribal governments.⁶

The Department undertook a comprehensive review of these submissions, conducted outreach to obtain clarifications where necessary, and compiled the submitted information in Appendices A and B. As directed by the statute, the Department determined whether each entity was in substantial compliance with the benchmarks established in its implementation plan.

II. Compliance with Fix NICS Act Requirements

This report fulfills the Department'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. The report must include:

- (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) the name of each Federal department or agency that has failed to submit an implementation plan ...;
- (iv) the name of each Federal department or agency that is not in substantial compliance with an implementation plan ...;
- (v) a detailed summary of the data, broken down by department or agency, contained in the [semiannual] certifications submitted ...;
- (vi) a detailed summary of the contents and status, broken down by department or agency, of the implementation plans established under [the Act]; and
- (vii) the reasons for which the Attorney General has determined that a Federal department or agency is not in substantial compliance with an implementation plan established under [the Act]."

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

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, Government Publishing 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, Pension Benefit Guaranty Corporation, Railroad Retirement Board – OIG, Securities and Exchange Commission, Small Business Administration, Smithsonian Institution, Social Security Administration, Tennessee Valley Authority, U.S. Agency for International Development, and U.S. Trade Representative.

⁶ In addition, an implementation plan was received in February 2021 from the Territory of Guam.

The Act also requires the Department to determine, by the end of each fiscal year, whether each State has achieved substantial compliance with its implementation plan. *Id.* at 1133. Though not required to be included in the semiannual report, that information must also be published and so is included here.

The following sections and appendices provide information satisfying each of these requirements. As contemplated by the Act, the data and summaries provided in this report are based on the information submitted by the Federal agencies and States themselves. They reflect the Department's best understanding of the submitted documents, as well as subsequent communications where clarification was necessary.

A. Federal Agency Semiannual Certifications

The Act requires that this report identify: (1) Federal agencies that failed to submit a semiannual certification; (2) Federal agencies that submitted a certification but failed to certify compliance with the NICS record submission requirements; and (3) a detailed summary of the data contained in the certifications.

Semiannual certifications for the fifth and sixth reporting periods (January-June 2020 and July-December 2020) documenting agency records were received from the following 46 Federal agencies:⁷

- 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

⁷ 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 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 – Mint Police
- Department of the Treasury – OIG
- Department of the Treasury – Office of the Treasury Inspector General for Tax Administration
- 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 – OIG⁸
- 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 six reporting periods that have elapsed since the passage of the Act. 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

⁸ After further deliberation, the Pension Benefit Guaranty Corporation – OIG recently concluded that it does not create relevant records, and the records reported in its previous certifications were all created and submitted by the Department of Justice. Accordingly, PBGC-OIG did not submit a certification for the most recent reporting period, and is not required to submit further certifications.

Department, 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 (USCP)—has not yet submitted a semiannual certification. USCP initially maintained that as a legislative agency it is not subject to the Act. Nevertheless, as noted in the previous report, USCP continues to work with FBI-CJIS staff to identify relevant records and come into compliance with the Act. All other federal agencies submitted the required certifications for the relevant reporting periods.

B. Federal Agency Implementation Plans

The Act also requires the Department to report: (1) the names of agencies that failed to submit an implementation plan; (2) the names of agencies that are not in substantial compliance with an implementation plan; (3) a detailed summary of the contents and status of the implementation plans; and (4) the reasons the Department found that an agency is not in substantial compliance with an implementation plan. The Act directs that the Department base its compliance determinations on whether the agency is substantially meeting the annual benchmarks set out in its plan, including:

- Qualitative goals and quantitative measures;
- Measures to monitor internal compliance, including any reporting failures and inaccuracies;
- A needs assessment, including estimated compliance costs; and
- An estimated date by which the agency will fully comply with the record submission requirements.

In total, 46 implementation plans have been established by the following agencies:

- Administrative Office of the United States Courts
- Amtrak – 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 – Mint Police
- Department of the Treasury – OIG
- Department of the Treasury – Office of the Treasury Inspector General for Tax Administration
- 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

Summaries of the benchmarks contained in those implementation plans as well as the agencies’ progress toward meeting those benchmarks can be found in Appendix B. Only one agency—the U.S. Capitol Police—has not submitted an implementation plan. As explained in Section II.A, USCP initially maintained that it is not covered by the Act, but is nevertheless working with FBI-CJIS staff to come into compliance.

The statute also requires the Department to determine whether each agency has achieved substantial compliance with the benchmarks in its implementation plan and, if not, to explain the reasons for that finding. Because the statute does not specify a means for the Department to determine whether an agency is meeting its benchmarks, the Department asked each agency to

include a progress report with its July semiannual certifications. All relevant agencies submitted the requested updates, describing efforts across the federal government to improve NICS record reporting.

The progress reports were carefully reviewed by Department staff to assess the agency's progress in meeting its benchmarks and, where necessary, whether the agency had provided a reasonable explanation for any unexpected delays (*e.g.*, resource constraints resulting from the COVID-19 pandemic). Informed by these reviews, the Department concluded that all Federal agencies are in substantial compliance with the benchmarks set forth in their implementation plans.

C. State Compliance

As with Federal agencies, the statute does not specify a means for the Department to determine whether a State is meeting its benchmarks. The Department therefore asked each State to provide such an update by August 15, 2020. For States, the Act directs that the Department base its compliance determinations on whether the State is substantially meeting the annual benchmarks set out in its plan, including:

- Qualitative goals and quantitative measures; and
- A needs assessment, including estimated compliance costs.

Progress reports were received from 50 States and the District of Columbia. Like the Federal agencies, the States described the significant efforts they have undertaken to improve their record-sharing with the NICS.

The progress reports were carefully reviewed by Department staff to assess each State's progress in meeting its benchmarks and, where necessary, whether the State had provided a reasonable explanation for any unexpected delays (*e.g.*, resource constraints resulting from the COVID-19 pandemic). Informed by these reviews, the Department concluded that 50 States and the District of Columbia are in substantial compliance with the benchmarks set forth in their implementation plans.

D. Tribal Compliance

As described in the initial report, the United States has a unique legal relationship with Indian Tribes. By virtue of their status as sovereigns that pre-exist the federal Union, the Federal government has a direct government-to-government relationship with Indian Tribes. To carry out the United States' treaty and trust responsibilities to Tribes, the Federal government operates a host of programs to benefit Tribes and their members.

As relevant here, the Tribal Law and Order Act of 2010 (TLOA) requires the Department to "ensure that tribal law enforcement officials that meet applicable Federal or State requirements be permitted access to national crime information databases." 34 U.S.C. § 41107(1). To fulfill this mandate and improve access to the NICS and other national law enforcement databases, the Department developed the Tribal Access Program for National Crime Information (TAP) in

2015. Tribes may access the NICS either through the State in which their Tribal land is located (if they are allowed to do so by State law) or through the Department of Justice TAP.

In light of its unique relationship with Tribes, the Department determined that it would take responsibility—through the Department’s Office of Tribal Justice (OTJ)—for preparing an implementation plan that would ensure better access and submission of records to the NICS for Tribes. That plan noted that, of the 573 Federally recognized Tribes in the United States, 331 did not have Tribal courts and therefore would be unlikely to have relevant records, and 72 Tribes already had access to the NICS through the TAP. Another 52 Tribes may have had access through the Department of the Interior’s Bureau of Indian Affairs (BIA), and 118 Tribes may have had relevant records but it was unknown whether they had access to the NICS.

The benchmarks established in the implementation plan included: (1) determining the number of Tribes accessing the NICS through the BIA TAP partnership; and (2) providing information on establishing NICS access to the remaining Tribes that may have relevant records. With respect to the first benchmark, OTJ has determined that 73 Tribes have access to the NICS directly through TAP. Twenty-five additional Tribes have been accepted as new direct TAP participants and are awaiting deployment. In addition, there are five BIA Office of Justice Services (OJS) locations with TAP access that serve 16 Tribes. Another 24 BIA OJS locations that serve 56 Tribes are awaiting deployment.

With respect to the second benchmark, OTJ sent a package to all Tribal leaders in August 2019 that described the NICS and the Fix NICS Act, encouraged Tribes to establish access to and submit relevant records to the NICS, and offered OTJ’s assistance in accomplishing those goals. Since that time, the Little Shell Tribe of Chippewa of Montana was recognized federally, bringing the total number of recognized Tribes to 574. OTJ sent the Little Shell Tribe Tribal leader an information package in October 2020.

The Department’s deployment schedule to BIA-serviced Tribes and to direct TAP participants has been significantly delayed due to the COVID-19 pandemic—many Tribal jurisdictions restricted visitors from outside their respective reservations and the Department restricted travel by its employees and contractors. For this reason, most opportunities for TAP deployment in 2020 were delayed until such time that the deployments could be done safely and in compliance with Tribal law and federal policy. An updated deployment plan will be established once COVID-related restrictions are lifted, which will occur on a Tribe-by-Tribe basis. The Department intends to continue expanding access through the TAP as funding allows.

III. Making a Difference

As described in previous reports and in Section II, there has been very strong compliance with the reporting requirements of the Act. These requirements have compelled relevant agencies at all levels of government to take stock of their NICS record-sharing, set goals for improvement, and otherwise prioritize ensuring the accuracy and completeness of their records in the NICS. Previous reports detailed many of the ways the Fix NICS Act may already be leading to improvements in the NICS operations. While the COVID-19 pandemic has created

unprecedented challenges, there are still signs of progress, both in terms of record submission data and operational innovations.

Numbers of Records. Most significantly, the overall number of records in the NICS demonstrates continuing growth. 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. By February 2021, the total number of records in the NICS was 112,352,109, an 11.4 percent increase since April 2018. During that same period, there was a 31.4 percent increase in NICS Indices records.

Firearm Retrieval Referrals (FRRs). Previous reports highlighted improvements in the number of FRRs (where a prohibited person is able to purchase a firearm because the background check could not be concluded within three business days). Between April 2018 and March 2020, the number of FRRs decreased an average of 102 each month in comparison to the same month during the previous year, potentially due to the increase in available records. By March 2020, the average monthly FRRs was still declining, though at a slower pace of 64 FRRs per month. As of February 2021, however, the NICS has seen an average *increase* of 17.57 FRRs per month.

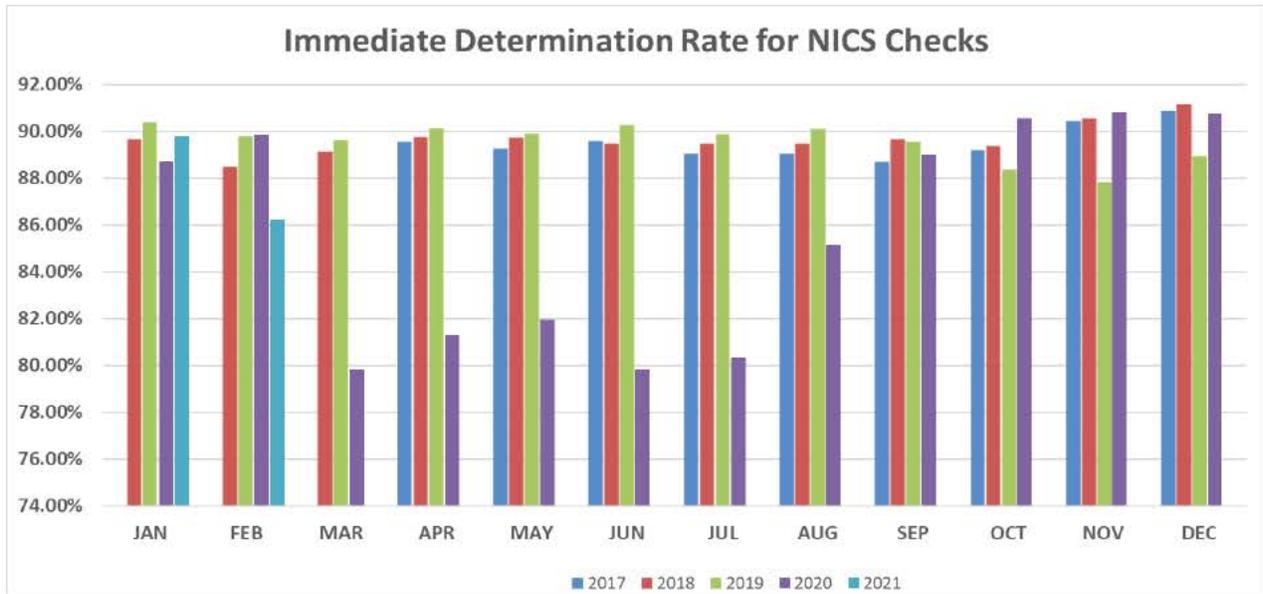
This increase in FRRs corresponds to unprecedented transaction volume in the NICS Section since the COVID-19 pandemic began in March 2020. During 2020, FBI processed over 9.5 million more transactions that it had in 2019—a nearly 41 percent increase in just one year—and the trend shows no sign of abating. For example, the transaction volume for January 2021 was up nearly 60 percent from January 2020.⁹

Viewed in the context of this surge in transactions, it is apparent that the number of FRRs is still very small. Calculated as a percentage of the total transactions conducted by FBI's NICS Section, FRRs in calendar year 2018 comprised .048 percent of federal transactions; in 2019 that figure was .0365 percent; and in 2020 it was .0486 percent. The Department anticipates that the number of FRRs will decline again once transaction volumes return to historic norms.

Immediate Determination Rate (IDR). The first semiannual report documented a positive trend in the IDR (percentage of NICS checks resulting in an immediate determination) through August 2019. Specifically, between April 2018 and August 2019, with the exception of June 2018, the IDR increased an average of 0.51 percent for each month when compared with the same month of the previous year. By March 2020, however, the IDR had reversed course and started to decrease. 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. This trend continued through the last reporting period: from April 2018 through February 2021, the IDR decreased an average of

⁹ In March 2021, FBI recorded 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.

1.37 percent compared to the same month in the previous year. Like the FRRs, recent IDR numbers were likely affected by the historic increase in transaction volume experienced since March 2020. The Department likewise anticipates that the IDR will resume the previous positive trend once transaction volumes return to historic norms.



Dispositions. 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 first 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 remained level through March 2020 and again through February 2021. In addition, the number of Federal agencies achieving a 90-100% disposition completion rate rose from 26 to 27 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
February 28, 2021	4	27

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 the Interstate Identification Index (III) is a part). Currently, the agency only submits

dispositions on the R-84 Final Disposition Report for manual posting. Connectivity needs to be established and programming has yet to begin, 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. 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. In addition, in order to reconcile missing and incorrect dispositions, the U.S. Army requested and was provided reports on their criminal history records from 1998 through 2021.

U.S. Immigration and Customs Enforcement (ICE) continues to meet monthly with FBI-CJIS staff to discuss ongoing efforts to assist ICE in providing missing dispositions to complete its criminal history record information. The CJIS staff provided ICE with reports detailing all ICE arrests without dispositional data; ICE used this data to retrieve more than 90,000 dispositions from its database and to submit it to the CJIS Division for ingestion into the NGI System.

Additional examples of Federal agency progress include:

- The *Internal Revenue Service* entries continue to climb. The previous report noted an increase from 119 entries in November 2019 to 28,277 entries as of March 31, 2020. By February 28, 2021, that number increased significantly to 42,924 entries, primarily in the felony category.
- The *U.S. Postal Service* (USPS) entries continue to rise. Between May 2020 and February 2021, the USPS entries escalated, largely in the felony and indictment categories, from 1,240 entries to 1,714 entries.
- In December 2020, the *Department of Defense*, specifically the National Security Agency, began entering records into the NICS Indices, primarily in the controlled substances category.
- The *U.S. Navy* researched and provided dispositions for individuals who had been dishonorably discharged from the Navy from 1930 forward. During August 2020, its efforts allowed for the electronic ingestion of over 11,300 dishonorably discharged dispositions.

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:

- The *Montana* Criminal Records Division hired four employees to focus on disposition entry. As a result, Montana's overall disposition rate has increased from 54 percent to 66 percent, felony arrest dispositions have increased from 47 percent to 63 percent, and arrests within the last five years have increased from 60 percent to 71 percent. In addition, Montana secured National Criminal History Improvement Program grant funding to track down missing arrest fingerprints and older dispositions, and to develop an online course curriculum for livescan fingerprint capture. Finally, the release of a

new Computerized Criminal History (CCH) system began in March 2020. The new CCH provides the capability to set firearm restrictions and record victim relationships on Montana criminal history records. The system is live and currently being tested internally.

- **Texas** traditionally has forwarded all conviction data to the III pursuant to its criminal history reporting laws, which require all reported criminal history to be supported by fingerprints. Nevertheless, the state does receive some dispositions without supporting fingerprints. Texas has taken the initiative to investigate these unsupported dispositions and submit those with sufficient identifying data to the NICS Indices while working with local law enforcement to acquire the supporting fingerprints for the case. As a result of these extraordinary efforts, an additional 109,057 dispositions were added to the NICS Indices as of September 30, 2020.
- Beginning in April 2020, **Utah** began entering all qualified felony warrants and warrants for failure to register as a sex offender into the NCIC. This more than doubled the number of warrants entered into the NCIC compared to the previous year. Utah is currently sending approximately 53 percent of the felony warrants that are entered into the Statewide Warrant file, and it has had discussions with the Utah courts about recording the required information in the warrants to enable their entry into the NCIC.
- The **Tennessee** Bureau of Investigation (TBI) is currently working to conduct record reviews and comparisons to identify criminal history records for which they can immediately assume control of maintenance responsibilities. Currently, those maintenance responsibilities (correcting and updating records) are performed by the FBI. From May 31, 2020, through February 28, 2021, the TBI took control of 52,804 records, increasing the number of Tennessee-controlled records from 66 percent to 69 percent.
- **Illinois** recently passed a law to expunge several cannabis possession/use charges from its state criminal history records. As such, Illinois expunged over 500,000 charges and is working to expunge approximately 200,000 more. Illinois updated its CCH as a part of this process and is now reporting all criminal history records to the FBI electronically when possible and ensuring individual agencies are reporting through the State Identification Bureau. This will improve the accuracy and completeness of Illinois arrests and dispositions.
- **Wisconsin** has drastically improved the number of arrests with completed dispositions in the state. In March 2018, Wisconsin's completed disposition reporting rate was only 33 percent. By January 2021, Wisconsin increased its completed disposition reporting rate to 82 percent.

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

and States 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

Agency Name	Certification Period*	Agency Certified Compliance with NIAA Submission Requirements (Y/N)	Total Number of Records Found	Total Number of Records Submitted	Records Submitted Broken Down by Prohibitor Category									
					g(1)	g(2)	g(3)	g(4)	g(5)	g(6)	g(7)	g(8)	g(9)	(n)
Administrative Office of the United States Courts	2018 A	Y	84,642 ^a	0 ^b	DNS	DNS	DNS	DNS	DNS	DNS	DNS	DNS	DNS	84,642
	2018 B	Y	88,886	0	DNS	DNS	DNS	DNS	DNS	DNS	DNS	DNS	DNS	88,886
	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
	2020 A	Y	78,970	0	0	0	0	0	0	0	0	0	0	78,970
	2020 B	Y	70,130	0	0	0	0	0	0	0	0	0	0	70,130
Amtrak - OIG	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
	2018 B	Y	18	18	16	0	0	0	0	0	0	0	0	2
	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
	2020 A	Y	1	1	0	0	0	0	0	0	0	0	0	1
	2020 B	Y	1	1	0	0	0	0	0	0	0	0	0	1
Board of Governors of the Federal Reserve System/Consumer Financial Protection Bureau - OIG	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
	2018 B	Y	0 ^c	0	0	0	0	0	0	0	0	0	0	0
	2019 A	Y	2	0	DNS	DNS	0	0	0	0	0	0	0	DNS
	2019 B	Y	3	3	0	0	0	0	0	0	0	0	0	3
	2020 A	Y	5	5	0	0	0	0	0	0	0	0	0	5
	2020 B	Y	33	33	11	0	0	0	0	0	0	0	0	22
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
	2020 A	Y	1,685	1,685	0	0	1,685	0	0	0	0	0	0	0
	2020 B	Y	706	706	0	0	706	0	0	0	0	0	0	0
Department of Agriculture - OIG	2018 A	Y	192	192	55	0	0	0	0	0	0	0	0	137
	2018 B	Y	129	129	31	0	0	0	0	0	0	0	0	98
	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
	2020 A	Y	100	100	25	0	0	0	0	0	0	0	0	75
	2020 B	Y	76	76	24	0	0	0	0	0	0	0	0	52
Department of Commerce - OIG	2018 A	Y	3	3	3	0	0	0	0	0	0	0	0	0
	2018 B	Y	2	2	1	0	0	0	0	0	0	0	0	1
	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
	2020 A	Y	0	0	0	0	0	0	0	0	0	0	0	0
	2020 B	Y	2	0	0	0	0	0	0	0	0	0	0	0
Department of Defense	2018 A	N ^d	3,736	3,736 ^e	1,387	17	1,533	20	0	286	0	1	254	238
	2018 B	N	4,055	4,055	2,887	0	290	12	0	661	0	3	107	95
	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
	2020 A	N	15,155	15,691	494	9	14,046	2	3	123	0	18	80	616
	2020 B	N	31,143	31,991 ^f	7,506	15	13,350	27	3	6,030	0	83	530	3,847

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					g(1)	g(2)	g(3)	g(4)	g(5)	g(6)	g(7)	g(8)	g(9)	(n)
Department of Education - OIG	2018 A	Y	111	111	76	5	0	0	0	0	0	0	0	30
	2018 B	Y	77	77	57	0	0	0	0	0	0	0	0	20
	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
	2020 A	Y	55	55	32	0	0	0	0	0	0	0	0	23
	2020 B	Y	80	80	45	0	0	0	0	0	0	0	0	35
Department of Energy	2018 A	Y	13	8 ^g	1	0	1	0	0	0	0	0	0	6
	2018 B	Y	1	1	1	0	0	0	0	0	0	0	0	0
	2019 A	Y	1	1	1	0	0	0	0	0	0	0	0	0
	2019 B	Y	0	0	0	0	0	0	0	0	0	0	0	0
	2020 A	Y	3	3	0	0	0	0	0	0	0	0	0	3
	2020 B	Y	5	5	0	0	0	0	0	0	0	0	0	5
Department of Health and Human Services - OIG	2018 A & 2018 B	Y	540 ^h	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	0	0	0	0	0	0	573
	2020 A	Y	564	549	295	0	0	0	0	0	0	0	0	254
	2020 B	Y	631	631	208	12	0	0	0	0	0	0	0	411
Department of Homeland Security	2018 A, 2018 B, & 2019 A ⁱ	Y	11,420,425	10,520,425	1,586	317,683	1,017	103	11,100,001	29	0	1	3	2
	2019 B	Y	3,124,206	3,124,206	0	240	489	151	3,123,325	0	0	0	0	1
	2020 A	Y	283,583	283,583	378	138	344	52	282,668	0	0	1	0	2
	2020 B	Y	1,607,947	1,607,947	6,539	169	368	43	1,600,792	28	0	2	3	3
Department of Homeland Security - OIG	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
	2018 B	Y	89	89	62	0	0	0	0	0	0	0	0	27
	2019 A	Y	72	72	33	0	0	0	0	0	0	0	0	39
	2019 B	Y	98	92	34	0	0	0	0	0	0	0	0	58
	2020 A	Y	53	53	24	0	0	0	0	0	0	0	0	29
	2020 B	Y	36	35	19	0	0	0	0	0	0	0	0	16
Department of Housing and Urban Development OIG ^j	2018 A	Y	156	20	5	0	0	0	0	0	0	0	0	15
	2018 B	Y	112	22	7	0	0	0	0	0	0	0	0	15
	2019 A	Y	75	28	10	0	0	0	0	0	0	0	0	18
	2019 B	Y	47	12	9	0	0	0	0	0	0	0	0	3
	2020 A	Y	50	25	7	0	0	0	0	0	0	0	0	18
	2020 B	Y	22	14	9	0	0	0	0	0	0	0	0	5
Department of the Interior	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
	2018 B	*	*	*	*	*	*	*	*	*	*	*	*	*
	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
	2020 A	Y	101	92	48	0	14	0	0	0	0	1	11	18
2020 B	Y	104	85	22	1	46	0	0	0	0	1	0	15	

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					g(1)	g(2)	g(3)	g(4)	g(5)	g(6)	g(7)	g(8)	g(9)	(n)
Department of the Interior - OIG	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
	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
	2020 A	Y	5	5	1	0	0	0	0	0	0	0	0	4
	2020 B	Y	1	1	1	0	0	0	0	0	0	0	0	0
Department of Justice	2018 A	Y	37,565	37,565 ^t	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
	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
	2020 A	Y	39,893	39,893	34,756	942	201	116	4,781	1	0	-15	1,180	-2,069
	2020 B	Y	60,932	60,932	27,920	22,151	73	45	1,553	0	0	93	3,101	5,996
Department of Labor ¹	2018 A & partial 2018 B		48	48	18	0	0	0	0	0	0	0	0	30
	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
	2020 A	Y	14	14	3	0	0	0	0	0	0	0	0	11
	2020 B	Y	9	9	3	0	0	0	0	0	0	0	0	6
	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
Department of Labor - OIG	2018 B	Y	243 ^m	186	64	0	0	0	0	0	0	0	0	122
	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
	2020 A	Y	125	125	58	0	0	0	0	0	0	0	0	67
	2020 B	Y	218	217	51	0	0	0	0	0	0	0	0	166
	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
Department of State	2018 A	Y	4,110	4,110	1,775	150	0	0	0	0	2,028	0	0	157
	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
	2020 A	Y	1,332	1,322	57	0	0	0	0	0	1,233	0	0	42
	2020 B	Y	1,017	1,017	62	73	0	0	0	0	834	0	0	48
Department of State - OIG	2018 A	Y	2	2	2	0	0	0	0	0	0	0	0	0
	2018 B	Y	14	14	6	0	0	0	0	0	0	0	0	8
	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
	2020 A	Y	9	9	1	0	0	0	0	0	0	0	0	8
	2020 B	Y	21	21	2	0	0	0	0	0	0	0	0	19
Department of the Treasury - Bureau of Engraving and Printing	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
	2018 B	*	*	*	*	*	*	*	*	*	*	*	*	*
	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
	2020 A	Y	0	0	0	0	0	0	0	0	0	0	0	0
	2020 B	Y	0	0	0	0	0	0	0	0	0	0	0	0

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					g(1)	g(2)	g(3)	g(4)	g(5)	g(6)	g(7)	g(8)	g(9)	(n)
Department of the Treasury - Internal Revenue Service	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
	2018 B	*	*	*	*	*	*	*	*	*	*	*	*	*
	2019 A	Y	1,850	Unknown	DNS	DNS	DNS	DNS	DNS	DNS	DNS	DNS	DNS	DNS
	2019 B	Y	1,462	268 ^o	268	0	0	0	0	0	0	0	0	0
	2020 A	Y	616	102	50	52	0	0	0	0	0	0	0	0
	2020 B	Y	1,233	476	451	25	0	0	0	0	0	0	0	0
Department of the Treasury - Mint Police ^p	2018 A, 2018 B, & 2019 A	Y	0 ^q	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
	2020 A	Y	0	0	0	0	0	0	0	0	0	0	0	0
	2020 B	Y	0	0	0	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
	2020 A	Y	2	2	1	0	0	0	0	0	0	0	0	1
	2020 B	Y	56	56	35	3	0	0	0	0	0	0	0	18
Department of the Treasury - Office of the Treasury Inspector General for Tax Administration	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
	2018 B	Y	DNS ^r	DNS	0	DNS	0	0	0	0	0	0	0	0
	2019 A	Y	DNS	DNS	26	DNS	0	0	0	0	0	0	0	0
	2019 B	Y	10	10	10	0	0	0	0	0	0	0	0	0
	2020 A	Y	11	11	0	0	0	0	0	0	0	0	0	0
	2020 B	Y	18	18	17	0	0	1	0	0	0	0	0	0
Department of Veterans Affairs - Veterans Benefits Administration	2018 A	Y	18,314	18,314	0	0	0	18,314	0	0	0	0	0	0
	2018 B	*	*	*	*	*	*	*	*	*	*	*	*	*
	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	0	0	0	2,461	0	0	0	0	0	0
	2020 A	Y	9,850	9,850	0	0	0	9,850	0	0	0	0	0	0
	2020 B	Y	12,605	12,605	0	0	0	12,605	0	0	0	0	0	0
Department of Veterans Affairs - OIG	2018 A	Y	82	82	52	2	0	0	0	0	0	0	0	28
	2018 B	Y	96	96	62	1	0	0	0	0	0	0	0	33
	2019 A	Y	82	82	42	2	0	0	0	0	0	0	0	38
	2019 B	Y	96	96	22	2	0	0	0	0	0	0	0	72
	2020 A	Y	47	51 ^s	31	3	0	1	0	0	0	0	0	16
	2020 B	Y	57	60	18	0	0	0	0	0	0	0	0	42
Environmental Protection Agency ^t	2018 A	Y	34	34	34	0	0	0	0	0	0	0	0	0
	2018 B	Y	37	37	37	0	0	0	0	0	0	0	0	0
	2019 A	Y	45	45	45	0	0	0	0	0	0	0	0	0
	2019 B	Y	22	22	22	0	0	0	0	0	0	0	0	0
	2020 A	Y	35	35	35	0	0	0	0	0	0	0	0	0
	2020 B	Y	20	20	20	0	0	0	0	0	0	0	0	0

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Environmental Protection Agency - OIG	2018 A	Y	3	3	3	0	0	0	0	0	0	0	0	0
	2018 B	Y	4	4	0	0	0	0	0	0	0	0	0	4
	2019 A	Y	7	7	7	0	0	0	0	0	0	0	0	0
	2019 B	Y	7	7	5	0	0	0	0	0	0	0	0	2
	2020 A	Y	4	4	4	0	0	0	0	0	0	0	0	0
	2020 B	Y	9	9	9	0	0	0	0	0	0	0	0	0
Export-Import Bank of the United States - OIG	2018 A	Y	6	6	5	0	0	0	0	0	0	0	0	1
	2018 B	Y	4	4	3	0	0	0	0	0	0	0	0	1
	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
	2020 A	Y	2	2	2	0	0	0	0	0	0	0	0	0
	2020 B	Y	3	3	2	0	0	0	0	0	0	0	0	1
Federal Deposit Insurance Corporation - OIG	2018 A	Y	62	49	19	0	0	0	0	0	0	0	0	30
	2018 B	Y	47	45	21	0	0	0	0	0	0	0	0	24
	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
	2020 A	Y	41	33	20	0	0	0	0	0	0	0	0	13
	2020 B	Y	112	112	38	0	0	0	0	0	0	0	0	74
Federal Housing Finance Agency - OIG	2018 A	Y	8	8	2	0	0	0	0	0	0	0	0	6
	2018 B	Y	27	27	0	0	0	0	0	0	0	0	0	27
	2019 A	Y	90	90	30	0	0	0	0	0	0	0	0	60
	2019 B	Y	99	92	29	0	0	0	0	0	0	0	0	63
	2020 A	Y	37	37	20	0	0	0	0	0	0	0	0	17
	2020 B	Y	89	78	30	0	0	0	0	0	0	0	0	48
General Services Administration - OIG	2018 A	Y	76	76	28	1	0	0	0	0	0	0	0	47
	2018 B	Y	58	58	18	1	0	0	0	0	0	0	0	39
	2019 A	Y	47	47	22	0	0	0	0	0	0	0	0	25
	2019 B	Y	39	39	16	0	0	0	0	0	0	0	0	23
	2020 A	Y	19	19	6	0	0	0	0	0	0	0	0	13
	2020 B	Y	42	42	18	0	0	0	0	0	0	0	0	42
Government Publishing Office - OIG	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
	2018 B	*	*	*	*	*	*	*	*	*	*	*	*	*
	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
	2020 A	Y	2	2	1	0	0	0	0	0	0	0	0	1
	2020 B	Y	0	0	0	0	0	0	0	0	0	0	0	0
Library of Congress - OIG	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
	2018 B	*	*	*	*	*	*	*	*	*	*	*	*	*
	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
	2020 A	Y	0	0	0	0	0	0	0	0	0	0	0	0
	2020 B	Y	0	0	0	0	0	0	0	0	0	0	0	0

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National Aeronautics and Space Administration - OIG	2018 A & 2018 B	Y	35	35	12	0	11	0	0	0	0	0	0	12
	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
	2020 A	Y	1	0	0	0	0	0	0	0	0	0	0	1
	2020 B	Y	2	2	0	0	0	0	0	0	0	0	0	2
National Archives and Records Administration - OIG	2018 A	Y	1	1 ^u	DNS	DNS	0	0	0	0	0	0	0	DNS
	2018 B	Y	0	0	0	0	0	0	0	0	0	0	0	0
	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
	2020 A	Y	0	0	0	0	0	0	0	0	0	0	0	0
Nuclear Regulatory Commission	2018 A	Y	0	0	0	0	0	0	0	0	0	0	0	0
	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	0	0	0	0	0	0	0	0	0	0	0	0
	2020 A	Y	0	0	0	0	0	0	0	0	0	0	0	0
Pension Benefit Guaranty Corporation - OIG	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*
	2018 B	Y	3	3	DNS	0	0	0	0	0	0	0	0	DNS
	2019 A	Y	3	3	DNS	0	0	0	0	0	0	0	0	DNS
	2019 B	Y	1	1	0	0	0	0	0	0	0	0	0	1
	2020 A	Y	6	6	4	0	0	0	0	0	0	0	0	2
Pretrial Services Agency ^w	2018 A	Y	5,097	5,097	0	0	5,097	0	0	0	0	0	0	0
	2018 B	Y	5,033	4,540 ^x	0	0	4,540	0	0	0	0	0	0	0
	2019 A	Y	4,768	4,968	0	0	4,968	0	0	0	0	0	0	0
	2019 B	Y	2,505	3,691	0	0	3,691	0	0	0	0	0	0	0
	2020 A	Y	3,890	3,370	0	0	3,370	0	0	0	0	0	0	0
Securities and Exchange Commission - OIG	2018 A	Y	6	6 ^y	DNS	DNS	0	0	0	0	0	0	0	DNS
	2018 B	Y	8	8	DNS	DNS	0	0	0	0	0	0	0	DNS
	2019 A	Y	5	5	DNS	DNS	0	0	0	0	0	0	0	DNS
	2019 B	Y	4	4	4	0	0	0	0	0	0	0	0	0
	2020 A	Y	1	1	1	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
	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
	2020 A	Y	0	0	0	0	0	0	0	0	0	0	0	0
2020 B	Y	0	0	0	0	0	0	0	0	0	0	0	0	

Appendix A - Summary of Federal Agency Semiannual Certifications

Agency Name	Certification Period*	Agency Certified Compliance with NIAA Submission Requirements (Y/N)	Total Number of Records Found	Total Number of Records Submitted	Records Submitted Broken Down by Prohibitor Category										
					g(1)	g(2)	g(3)	g(4)	g(5)	g(6)	g(7)	g(8)	g(9)	(n)	
Social Security Administration - OIG	2018 A	Y	78	78	46	0	0	0	0	0	0	0	0	32	
	2018 B	Y	77	77	54	0	0	0	0	0	0	0	0	23	
	2019 A	Y	65	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	
	2020 A	Y	52	52	34	0	0	0	0	0	0	0	0	18	
	2020 B	Y	33	33	20	0	0	0	0	0	0	0	0	13	
United States Agency for International Development - OIG	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*	
	2018 B	*	*	*	*	*	*	*	*	*	*	*	*	*	
	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	
	2020 A	Y	1	1	0	1	0	0	0	0	0	0	0	1	
	2020 B	Y	3	3	0	1	0	0	0	0	0	0	0	2	
United States Postal Service ^z	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*	
	2018 B	*	*	*	*	*	*	*	*	*	*	*	*	*	
	2019 A	*	*	*	*	*	*	*	*	*	*	*	*	*	
	2019 B	Y	8	8	8	0	0	0	0	0	0	0	0	0	
	2019 B	Y	8	8	8	0	0	0	0	0	0	0	0	0	
	2020 A	Y	290	290	43	0	95	0	0	0	0	0	0	152	
	2020 B	Y	422	422	383	0	0	0	0	0	0	0	0	39	
United States Postal Service - OIG	2018 A	*	*	*	*	*	*	*	*	*	*	*	*	*	
	2018 B	*	*	*	*	*	*	*	*	*	*	*	*	*	
	2019 A	Y	691	217 ^{hh}	85	0	0	0	1	0	0	0	0	131	
	2019 B	Y	623	416	264	0	0	0	0	0	0	0	0	152	
	2020 A	Y	367	199	98	0	2	0	0	0	0	0	0	99	
	2020 B	Y	302	302	143	0	0	0	0	0	0	0	0	159	

* Indicates certification not submitted for relevant semiannual certification period.

"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

2020 A = January 1, 2020 - June 30, 2020

2020 B = July 1, 2020 - December 31, 2020

^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.

^f The number of records submitted exceeds the number of records created because it includes records created outside of the reporting period but submitted during the reporting period.

^g 5 out of the 13 identified records were created by other agencies but the agency made arrangements for their submission.

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

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

^j 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

^k 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.

^l 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

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

ⁿ The agency encountered technical difficulties in determining this figure; it will amend its certification when those difficulties are resolved.

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

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

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

^r 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

^s This figure includes several records from a prior period that had not previously been reported.

^t The Environmental Protection Agency's Criminal Investigation Division submits certifications on behalf of its parent agency.

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

^v The agency recently concluded that it does not have and does not expect to create relevant records, and the records reported in its previous certifications were all created and submitted by the Department of Justice. Accordingly, it did not submit a certification for the most recent reporting period, and is not required to submit further certifications

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

^x The 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.

^y The records the agency submitted for the first three certification periods were "federally-prosecuted matters". The agency did not specify the relevant

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

^{aa} The agency often relies on other agencies - generally the charging agency - to submit records on its behalf. The agency confirmed that the remaining

APPENDIX B - Summary of Federal Agencies Benchmarks and Progress

Federal Agency	Is agency in substantial compliance with its benchmarks?	Benchmarks	Progress/Update
Administrative Office of the United States Courts	Yes	During the past two years, the Administrative Office (AO) has been collaborating with DOJ to satisfy the Fix NICS Act requirements. This has included a series of meetings with different DOJ offices intended to examine the existing data-sharing arrangements between the courts and the DOJ and determine whether and how new data sharing arrangements (or changes to existing data sharing arrangements) might fix gaps in the NICS database, consistent with the Fix NICS Act. These conversations have focused on sharing criminal judgment forms with the DOJ in a streamlined and up-to-date manner.	<p>The AO has developed a "data feed" tool for sharing dispositive forms in all criminal cases. Typically, this would include the Judgment in a Criminal Case form and other judgment forms (along with associated metadata from CM/ECF and the Probation and Pretrial Services Automated Case Tracking System (PACTS)), in order to meet the courts' obligations under the Fix NICS Act. The AO believes this tool would be compatible with operations in all 94 district courts and could provide the data to DOJ in a format that can easily integrate with other NICS data.</p> <p>Currently, the Administrative Office is conducting a pilot to test the data feed tool and its potential for implementation at the national level. The tool being developed represents a significant step forward in satisfying courts' record-sharing requirements under the Fix NICS Act. The streamlined mechanism for sharing and integrating criminal judgment records into the NICS would likely make federal firearms background checks more effective, would demonstrate the judiciary's willingness to comply with the Act, and would promise to satisfy courts' new record-sharing obligations.</p>
Amtrak - OIG	Yes	N/A; already in full compliance	N/A; already in full compliance
Board of Governors of the Federal Reserve System/Consumer Financial Protection Bureau - OIG	Yes	The numeric goals for improving records for each of the next 4 years are as follows: 2019-70%, 2020-90%, 2021-95%, 2022-100%. The last and current semiannual certification were respectfully 100% accurate.	<p>The case management system internal check has been implemented as of July 31, 2020. The ASACs are required to coordinate with the case agent to ensure compliance. HQ operations conducts semi-annual checks and reviews as well. HQ operations coordinates with the Investigative field offices and the case agent to ensure compliance with NICS requirements.</p> <p>During the January-July 2020 reporting period, no non-compliance with NICS requirements were identified.</p>
		Non-numerical goals to improve record reporting include certification by each agent that reportable documents are in the correct investigative file and the case management system.	The case management system has included an internal check for NCIC records compliance. HQ operations conducts a query of investigative reporting requirements in collaboration with the Investigative field offices supervisors and case agents to ensure compliance. This check is conducted on a semi-annual basis.
Court Services and Offender Supervision Agency	Yes	N/A; already in full compliance	N/A; already in full compliance

APPENDIX B - Summary of Federal Agencies Benchmarks and Progress

Federal Agency	Is agency in substantial compliance with its benchmarks?	Benchmarks	Progress/Update
Department of Agriculture - OIG	Yes	Develop a method within database to capture statutes and length of prison sentences.	Database has been amended accordingly; benchmark achieved.
		<p>Develop a method within the database to readily identify whether a conviction was processed using an USDA-OIG ORI number.</p> <p>This benchmark has been amended to include "identify when an arrest was processed using an USDA-OIG ORI number."</p>	<p>The database has been modified so that in order to claim an arrest, the user must check a box indicating whether USDA-OIG's ORI number was used to process the arrest. If the user checks the box that the USDA-OIG ORI number was used, the system prompts the user to enter the date the R84 was submitted to the FBI. This requirement previously related to when a conviction was claimed and has been changed to apply to the arrest instead. The reason for this change is so that USDA-OIG can collect the appropriate information in order to be in compliance with DOJ's National Incident Based Reporting System (NIBRS) reporting requirements. NIBRS requires reporting of data elements at the time an incident occurs. USDA-OIG uses the arrest as the trigger to define an incident. Thus, the box is now completed when an arrest occurs rather than when the conviction occurs. This is effective for all arrests claimed from 7/1/20 forward.</p> <p>This portion relating to convictions remains in force: To ensure that the R84 submission information is captured in all cases, including those in which a conviction was claimed prior to 2/14/19, the case closing procedures require that a criminal history be run for all subjects prior to case closure to ensure CJIS shows an accurate disposition. If any subject has a disposition which, according to the criminal history has not been updated, then an updated R84 must be submitted to CJIS before the case can be closed.</p>
		Memorialize the procedures for capturing whether USDA-OIG's ORI is used and the date of the R84 submission in an Investigative Bulletin and later an updated "Complaint Processing and Investigation Control" policy.	<p>In September 2019, USDA-OIG published an Investigative Bulletin that outlined procedures to ensure appropriate measures are taken for the proper submission of R-84 disposition data related to ten determining factors.</p> <p>This policy will need to be amended to make the adjustment <u>referenced above</u>.</p>
		Ensure 100% accuracy in reporting prohibited persons to NICS. Additionally, ensure accuracy of all records recorded in OIG's database, including whether USDA-OIG's ORI was used and capturing the date the R84 is submitted to CJIS.	This additional performance requirement became effective at the beginning of FY 2020 and is incorporated into FY 2020 Performance Plans. Benchmark achieved.

APPENDIX B - Summary of Federal Agencies Benchmarks and Progress

Federal Agency	Is agency in substantial compliance with its benchmarks?	Benchmarks	Progress/Update
Department of Commerce - OIG	Yes	N/A; already in full compliance	N/A; already in full compliance
Department of Defense	No	Line of Effort #1: Historical CJI records updated. The Department of Defense will complete its review of criminal justice information (CJI) records dating back to 1998 by June 2020.	DoD completed its review of CJI records and updated III, NCIC, and the NICS Indices as appropriate. This review resulted in a substantial increase of records entered over the last eighteen months.
		Line of Effort #2: 1. USD(I&S) identifies NICS policy gaps 2. USD(I&S) identifies required legislative changes 3. USD(I&S) publishes DoD NICS policy 4. All relevant DoD policies updated to incorporate NICS	1. NICS policy gap study was completed on 17 September 2019. 2. Legislative review is on-going. 3. DoD Instruction is currently undergoing review and is projected to be completed in Jan 2021 4. This task requires DoDI to be published. However, a memorandum was published on March 16, 2020 titled, "Compliance with Federal Drug Free Workplace Program and Inter-Agency Reporting Requirements" informing all DoD organizational entities of mandatory reporting to the NICS.
Department of Education - OIG	Yes	N/A; already in full compliance	N/A; already in full compliance
Department of Energy	Yes	N/A; already in full compliance	N/A; already in full compliance
Department of Health and Human Services - OIG	Yes	According to CJIS's records, HHS OIG currently has a record disposition deficiency rate of 15%. It is the goal of HHS OIG to improve this percentage by 2% per year in order to reduce this gap to below 10% over the next four years. It is our long-term goal to reduce this gap to as close to zero as is practicable.	Our current disposition deficiency rate is 6%. We have achieved our goal of less than a 10% deficiency rate earlier than anticipated going from 27% in FY-2017 to 6% as of March 31st.
		In order to monitor internal compliance, HHS OIG will run periodic reports and validate them against CJIS reports. Additionally, internal procedures will be implemented that will require periodic review of cases and subjects to ensure compliance.	We have already implemented a temporary strategy to monitor what we consider at risk records, i.e., state and local indictments and prosecutions, to ensure compliance. We also have a policy being routed for final approval that will require all case agents to check NCIC/III for all cases (regardless of jurisdiction) to ensure all records have been updated appropriately. This policy, when published, will close the loop ensuring maximum compliance.
		We are currently reviewing and identifying necessary upgrades to our CMS to better track results for NICS reporting. The costs of upgrading our CMS are currently not known.	HHS OIG is actively involved in designing and programming a replacement for our current case management system. As a part of this upgrade, NICS compliance has been a point of emphasis. When completed, as much of this process as practical will be automated. A completion date for this project is unknown, but is expected to be more than 1-2 years away.

APPENDIX B - Summary of Federal Agencies Benchmarks and Progress

Federal Agency	Is agency in substantial compliance with its benchmarks?	Benchmarks	Progress/Update
Department of Homeland Security	Yes	USCG: Streamline request for NICS entry by providing direct documentation with NICS entry request. The monthly audit process strives to ensure that all entries are accurate and updated, as needed, in a timely fashion.	USCG: Benchmark completed. NICS entry request form disseminated to field and is being used when requesting an entry be made into NICS. Form is attached to case for verification and auditing.
		USSS continually reviews and ensures reportable information and data is being entered and its reporting requirements under NICS are monitored and improved.	The USSS has continued to train personnel on NICS and recognizing responsive records.
		NICS Monthly clean-ups of ICE records	The NICS Working Group is currently conducting a manual clean-up while we establish an automated process with USCIS to verify the data. USCIS will match the records currently held within the NICS Indices against their systems and provide the most current status of all alien numbers within the NICS Indices. Once this matching process takes place, the NICS working group will submit the deletion of records for aliens that may have been deemed illegal at one point, but are now lawfully present in the United States. These records are being removed on a weekly basis by ICE
		ICE: Future State of NICS queries via real-time data access	The NICS working group (ICE, CBP, USCIS, and FBI NICS Liaison Team) are still in early stage discussions to establish a system that will provide a faster response for all NICS related queries. The system will likely be hosted by CBP ADIS Team, but these discussions are currently on hold until CBP establishes their own record sharing with the FBI. CBP is currently working with the FBI to ensure that the data quality meets NICS expectations. Once this process is vetted and accepted by the FBI, the NICS working group will re-establish discussions on the future state of NICS queries
		DHS Component Goals for improved NICS record reporting requirements: USCIS- ICE, USCIS, and CBP are coordinating an automated approach to NICS requirements, that does not involve duplication of data and subsequent maintenance in different systems. CBP: Agree upon the methodology for identifying when to create CBP records in NICS	USCIS: As an interim solution, ICE will start placing the data file on the server for the Central Index System (CIS2) to retrieve. USCIS will then processes the file and place the results back on the server for ICE to retrieve and process. CBP: The details are almost complete; expect resolution by the end of the FY.
		CBP: Provide the initial files of records to NICS.	Files were sent to the FBI during the spring and were evaluated by the FBI. Minor technical changes are being made, which will be complete by September, 2020.

APPENDIX B - Summary of Federal Agencies Benchmarks and Progress

Federal Agency	Is agency in substantial compliance with its benchmarks?	Benchmarks	Progress/Update
Department of Homeland Security - OIG	Yes	Based on the implemented policies and procedures, we intend to be as fully compliant with the NICS Act as possible. The number of relevant records that we possess will fluctuate based on our investigation and resources. Therefore, it is difficult to provide a raw number or percentage. Our reporting goal is 100% compliance.	We are fully compliant with the Fix NICS Act, and our established goal is 100% compliance.
		We accomplish non-numerical goals through established policies and procedures. Prior to closure, the case agent (and their managers) verify that the R-84 Disposition form is submitted to the relevant record creator and that the indictment and convictions appear in NCIC. As part of a second level review, quality control checks are conducted at the headquarters level and as part of the bi-annual NICS certifications and the Semi-Annual Report validation process.	Non-numerical goals were accomplished through established policies and procedures. Prior to case closure, case agents and managers verify that the applicable indictments and convictions are in NCIC or III. Our second level review and quality control checks are in place and routinely conducted as part of both the Semi-Annual NICS certification and the Semi-Annual Report validation process. We are in the process of updating our policy on case closures by the end of calendar year 2020 to better conform to our established procedures.
		A second level review process requires that quality control checks are conducted at the headquarters level and as part of the bi-annual NICS certifications and the Semi-Annual Report validation process.	We have the appropriate field office validate the arrest, indictment, information, and convictions in NCIC, and to notify the lead investigative agency and prosecutor as applicable. We are in the process of updating our policy on case closures by the end of calendar year 2020 to better conform to our established procedures.
		We estimated that by the end of calendar year 2019, we would have firmly established all the policies and procedures to be fully compliant.	This is not applicable; our records are available and we are fully compliant.

APPENDIX B - Summary of Federal Agencies Benchmarks and Progress

Federal Agency	Is agency in substantial compliance with its benchmarks?	Benchmarks	Progress/Update
Department of Housing and Urban Development - OIG	Yes	HUD OIG intends to maintain the target correlation between arrests and disposition in III of 90% as informed by CJIS, accounting for deaths prior to conviction and the ongoing criminal justice process, by reviewing and updating records maintained by III. This will be aided by conducting an annual self-audit of those III arrest entries which do not have a related disposition.	HUD OIG's disposition to arrest correlation has improved to 95%, above our benchmark and at a rate that CJIS has stated is outstanding. In the past year, HUD OIG conducted a self-audit of III arrests lacking disposition and is working to update III appropriately with those dispositions found to be missing from III.
		HUD OIG will require all Special Agents to verify that all charging actions and convictions are included in NCIC or NICS before closing an investigation. This additional step will provide assurance that those records the Justice Department is responsible for submitting are submitted to NCIC. HUD OIG aims to complete this goal before FY 2020	HUD OIG advised for all charging actions and convictions to be verified in NCIC before closing. This requirement was also added to HUD OIG's Closed Case File Checklist, a document reviewed and signed prior to closing a case.
Department of Housing and Urban Development - OIG - continued	Yes	HUD OIG will conduct Management Assistance Reviews, periodic reviews of field offices and case files, to ensure that Special Agents are verifying that charging and convictions actions are entered into NCIC or NICS before closing an investigation. Management Assistance Reviews are conducted on a three year basis, covering approximately three of our ten regions and divisions each year. HUD OIG plans to introduce the above listed change to the Investigation closing process and review of all regions by FY2023.	As mentioned above, a requirement that charging actions and convictions are verified in NCIC or NICS prior to closing an investigation was added to HUD OIG's "Closed Case File Checklist." Due to the current COVID-19 pandemic, personnel commitments, and other issues, our Management Assistance Review schedule has been revised. HUD OIG will continue to conduct Management Assistance Reviews and confirm verification of NCIC entries. .
		HUD OIG will develop a Standard Operating Procedure (SOP) to ensure that our NICS submission process follows a consistent practice and minimizes any possible errors. Additionally, the SOP HUD OIG will create will include a process to verify HUD OIG's submissions against those reported back in monthly reports generated by the NICS system. HUD OIG plans to complete the SOP during FY 2020.	HUD OIG finalized a NICS SOP on July 14, 2020.
		HUD OIG will train and add additional personnel with the ability to upload records into NICS via the LEEP portal.	HUD OIG has trained an additional Senior Special Agent and provided required access to upload records into NICS via the LEEP portal. This addition will ensure that NICS entries are updated in a timely manner.
		HUD OIG plans to simplify current guidance regarding our NICS process as well as increase communication of our process to field offices and agents to ensure understanding of regulations regarding NICS and the HUD OIG NICS process.	HUD OIG updated and simplified our guidance provided to field offices effective for the query regarding Quarter 3 of FY 2019, sent out July 2019. In addition, HUD OIG has increased communication of our process to field offices and agents through regular briefings to field management.
Department of the Interior	Yes	Our Department's records management division for law enforcement submitted a request to our current software vendor to create an automated feature for the officer/agent to indicate that fingerprint cards have been submitted and updated for all arrests. These will be mandatory fields to be completed before a case can be considered "Closed "	It is anticipated that a testing platform will be ready in fall of 2020.

APPENDIX B - Summary of Federal Agencies Benchmarks and Progress

Federal Agency	Is agency in substantial compliance with its benchmarks?	Benchmarks	Progress/Update
Department of the Interior - OIG	Yes	<p>To improve reporting, new internal protocols involving the CJIS Modification Request Form and the R-84 process will be instituted through internal policy, along with standardization of charge data reported. These improvements will be established by September 30, 2019.</p> <p>Our organization will update internal policy requiring:</p> <ul style="list-style-type: none"> • An annual review of the organization's criminal investigations and verification of the accuracy of 75% of our agency's criminal history records. • Regional management case review of 100% criminal history records upon case closure, within 30 days of last investigative activity; • Headquarters management will perform a 100% quality assurance review of our criminal history records upon case closure, within 60 days of last investigative activity 	Policy has been written and moved forward to a review committee to review and implement final policy.
		Annually, by February 1st of each year, our organization will perform a quality assurance review of criminal investigations and verify the accuracy of 75% of our agency's criminal history records. Any discrepancies will be reported via a Modification Request Form and/or an R-84 report. This spreadsheet will be submitted by July 31, 2020.	Completed and ongoing to meet semi-annual requirements.
Department of Justice	Yes	The Department's NICS Indices associated criminal history, Department-wide, is 84% complete. In other words, 84% of arrests submitted by the Department to the NICS have a corresponding disposition record. That number will never reach 100% because some arrests will always be from active cases that are still being adjudicated (i.e., there is no disposition yet). However, the Department has established a target of 4% annual increases in matching disposition records until maximum completeness, efficiency and quality can be attained.	The Department's NICS-Indices associated criminal history, Department-wide, has improved to 85% complete. However, the projected basis for improvement is based on the implementation of the proposed technical solution. Once complete, the target is still a 4% annual increase in matching disposition records until maximum completeness, efficiency, and quality can be attained.
		The OCIO will work with FBI and leadership to identify appropriate internal monitoring measures, including annual goals for each of the next four years.	The FBI and leadership took active roles in the development of the technical solution proposed by the Working Group. The technical solution envisions metrics that follow all relevant cases from arrest through adjudication, providing a view that includes data associated to the arrests, prohibitors associated to adjudications, and throughout the adjudication process until complete.
Department of Justice -continued	Yes	Feasibility and costs under review. Costs expected to be substantial. If feasibility of the automation effort is established, agency will provide an update.	The activities to date have been accomplished with existing resources, to include a third-party review of the technical feasibility of the Working Group solution. Funding is required for any future work; progress and pace will be a function of resourcing. Early cost estimates for DOJ and the U.S. Courts to achieve a three year national deployment are in the range of thirteen million dollars with an annual maintenance cost of approximately 20%

APPENDIX B - Summary of Federal Agencies Benchmarks and Progress

Federal Agency	Is agency in substantial compliance with its benchmarks?	Benchmarks	Progress/Update
		Necessary additional resources would include technical and operational human resources, services, and support.	The Working Group identified the creation of a new program office that includes management, operational, subject matter experts, and security focused human resources. Additionally, the technical efforts would be completed by experienced contracted resources familiar with this mission space.
Department of Labor	Yes	By January 2020, DOL will work with Federal Bureau of Investigation's (FBI) NICS liaison office to obtain system access for relevant DOL components, who may potentially have relevant records, for the ability to enter data directly into the appropriate systems, barring any current unknown challenges.	During this reporting period a DOL non-OIG component, Employee Benefits Security Administration (EBSA) worked successfully with the FBI's NICS liaison office and gained the ability to access and enter data directly into the NICS portal. For this reporting period, EBSA entered all relevant records directly into NICS portal and will continue to do so in the future.
		By July 2020, DOL will explore opportunities to automate submissions of relevant records to appropriate systems.	DOL has achieved a form of automation by making modifications to an applicable system, EBSA Data Management System, to allow for quick identification of all qualified indictments and convictions at state level that must be reported pursuant to NICS.
		By January 2021, DOL will verify that its relevant reportable information is reported in a timely manner with limited or no challenges.	Two of three relevant DOL non-OIG components are currently able to verify that all reportable information is reported timely to NICS with limited to no challenges.
		In order to monitor internal compliance, DOL will issue an internal semi-annual data call to ask for verification of reportable information and submit the required certifications. Over the next four years, DOL will continue to request from its internal component stakeholders a status update in the preparation for the biannual certification reports to DOJ	Relevant DOL non-OIG components support the periodic data calls to collect relevant information for reporting. This approach has been successful to obtain reportable record numbers and applicable progress for the departmental benchmarks.
Department of Labor - OIG	Yes	Issue new Investigative Notices on Arrest and ECF Management	An updated Investigative Notice on Arrest and ECF management was drafted, incorporating policy adjustments to ensure compliance with the Fix NICS Act of 2017, and is presently going through the agency's internal review/clearance process.
		Assess ECF modifications for effectiveness and make adjustments	The ECF was modified to enhance the agency's ability to track compliance with the Fix NICS Act of 2017. Additional ECF modifications and improvements have been identified for future implementation to further enhance the agency's ability to meet reporting requirements.
Department of Labor - OIG -continued	Yes	Consider adding a performance metric to criminal investigator' performance standards	A performance metric was added to criminal investigators' performance standards effective FY20 to ensure arrests and convictions are documented in the electronic case file, and are retrievable by the National Instant Criminal Background Check System (NICS), and those who have a need to know (i.e., registered weapons dealers) pursuant the Fix NICS Act of 2017.

APPENDIX B - Summary of Federal Agencies Benchmarks and Progress

Federal Agency	Is agency in substantial compliance with its benchmarks?	Benchmarks	Progress/Update
		Make submission to the NICS for unreported historical items	Headquarters staff reached out to CJIS to obtain a list of all arrests/charges missing dispositions initially reported to CJIS by DOL OIG. A review of unreported dispositions is presently ongoing.
Department of State	Yes	Monitor compliance via an ongoing process of mandatory case reviews every 90 days for all open criminal investigations.	Field Offices conduct reviews every 90 days to ensure compliance.
		Supervisory special agents in all domestic offices and those who lead overseas investigative teams will review each open investigation to ensure compliance with existing policy, including the requirement to make information available to NICS.	Supervisory special agents review each investigation to ensure compliance.
		Recommend a full-time employee to educate the workforce, coordinate with NICS, conduct the required semiannual certifications to NICS, and implement regular quality control checks to ensure required records are made available to NICS.	Internal discussions underway to create the position.
		Convene an inter-departmental working group to discuss how increased automation, establishing new protocols or other NICS-related system improvements can be made to improve record reporting.	In progress.

APPENDIX B - Summary of Federal Agencies Benchmarks and Progress

Federal Agency	Is agency in substantial compliance with its benchmarks?	Benchmarks	Progress/Update
Department of State - OIG	Yes	By the end of 2022, OIG's goal is to ensure that 100 percent of our responsive and relevant records are made available to the NICS through appropriate documentation in NCIC/III. During the next four years, we will continue to review accessible electronic case management data dating back to July 2016, while at the same time, validating the current year. For example, during 2019, OIG will validate 2016 and 2019 data.	IG is on track to ensure 100 percent of our responsive records are available by the end of 2022. Although these records are being made available to NICS, OIG does not directly provide data to the NICS indices. OIG also has limited use authority of the National Crime Information Center (NCIC) and Interstate Identification Index (III), through which OIG is only allowed to submit queries. OIG relies on its Federal, state, and local law enforcement partner agencies (such as the Department of Justice, United States Attorney's Offices, and the United States Marshals Service) to submit indictments, information, criminal complaints, warrants, and case dispositions (including criminal convictions) to NCIC/III and/or NICS indices on OIG's behalf.
		By the end of 2019, OIG's goal is to establish increased communication with CJIS to share and compare known records. By the end of 2020, OIG will improve internal policies that directly impact the reporting of responsive and relevant records to NICS. By the end of 2021, OIG will make any enhancements necessary to improve the reporting of responsive and relevant records required by the Fix NICS Act.	By the end of 2019, OIG met its goal to increase communication with CJIS by establishing and ensuring points of contacts between OIG and CJIS. OIG relies upon CJIS to provide known data on incomplete records based on OIG's designated Originating Agency Identifier (ORI). Since 2019 OIG has received CJIS data to compare against data in OIG's electronic case management system. By the end of 2020, INV has reviewed its internal policies and has not identified any weaknesses that will impact reporting. OIG will continue to address incomplete data by conducting NCIC/III checks to verify that records are complete and, if they are not, submit an appropriate R-84 form, Final Disposition Report.
		OIG's internal compliance measures include, but are not limited to, quarterly verification by the divisions within the Office of Investigations of relevant case data pertinent to NICS reporting requirements. Additionally, investigative staff routinely review case data for case activities that impact reporting requirements. Data is also verified for accuracy as part of our internal case closing procedures.	Data continues to be monitored on a quarterly basis as well as during other internal policy triggers such as case closing reviews by our Operations Division.
		OIG continuously updates and improves its internal policies and case management system to meet the challenges and changing reporting requirements.	OIG has identified areas of improvement to our case management system that will enhance the efficiency and accuracy of our data collection and reporting
		Presently, OIG has not identified a need for additional resources, personnel, or systems, but will continue to assess our resource needs during the next four years.	OIG has not identified a need for additional resources, personnel, or systems, but will continue to assess our resource needs.
		IAs of March 2019, OIG is compliant with all known relevant records for July 2018 to present and by 2022, all records from 2016 to 2018 will be accurate.	According to CJIS provided records, OIG using ORI VADOS0200 is compliant with all known relevant records.
Department of the Treasury - Bureau of Printing and Engraving	Yes	BEP's goal for the next four years is to have zero (0) records that need updating in NCIC or III.	BEP has no reportable cases.

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Federal Agency	Is agency in substantial compliance with its benchmarks?	Benchmarks	Progress/Update
		BEP's goal is that within 6 months of this plan, 100% of BEP's officers will be trained on the procedures contained herein.	All BEP officers have been informed of the process for entering and tracking NICS reportable arrests. New officers are briefed by supervisors.
		BEP's goal is that 100% of the arrests that contain a BEP ORI will be input into the Desk Sergeant's spreadsheet, tracked internally, and timely updated into the COBALT system.	No NICS reportable arrests have occurred.
		BEP's goal is that each arrest being tracked will be reviewed by the arresting officer to ensure any updates occur.	No NICS reportable arrests have occurred.
Department of the Treasury - Internal Revenue Service	Yes	<p>Convictions</p> <p>The agency's implementation plan provided that IRS-CI submit, bi-weekly, 100 reportable information records to the FBI with an annual benchmark of 2,600. For the June 2020 certification, the annual benchmark would be 1,300 records.</p>	<p>As of June 30, 2020, IRS-CI has submitted over 17,190 conviction records to the FBI, which is well over the 1,300 benchmark for the June 2020 certification. Currently, the IRS-CI is capable of submitting at least 800 per week, which is more than the implementation plan benchmark.</p> <p>From the felonies referenced in section 5 [of the semiannual certification], IRS-CI had 69 convictions between January and June 2020. Field agents are submitting the updated information to the FBI at the conclusion of an investigation. As of June 30, 2020, IRS-CI has submitted 50 of the 69 records to the FBI of felons who were sentenced. IRS-CI's Fix NICS Team will submit the 19 records that the field did not submit and forward to FBI by July 31, 2020.</p> <p>It has come to HQ's attention that some field offices thought that the R-84s were not necessary since the FBI was co-investigating the case. Additional training will be conducted in those field offices so that all field offices may adhere to the policy.</p>
		<p>Fugitives</p> <p>The USMS is entering fugitive data as per IRS-CI case agents' requests.</p>	For the July 2020 reporting period, IRS-CI had 62 fugitives, of which 52 requests were made to the USMS for entry into NCIC. Requests to add the remaining ten fugitives are being processed and will be submitted to USMS before July 31, 2020.
		<p>Indictments</p> <p>The USAO is responsible for updating NCIC. Once the individuals are sentenced, the case agents are instructed to update Forms R-84 and submit to FBI.</p>	From January 2020 to June 2020, IRS-CI had 485 indictments. The 485 indictments referenced in section 5 are submitted by the USAO.

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Federal Agency	Is agency in substantial compliance with its benchmarks?	Benchmarks	Progress/Update
Department of the Treasury - OIG	Yes	Create a policy to identify and update outstanding criminal history dispositions using reports and notifications	TIG continues to work towards obtaining a new ORI that is specific to TIG; however, a completion date for obtaining a new ORI is unknown due to the involvement of the state liaison office. The state liaison office recently notified TIG of changes to a template used for a Memorandum of Understanding (MOU) after TIG had submitted the MOU. TIG will finalize the MOU once the state liaison has replied. TIG will create and finalize a new policy to check NCIC dispositions after other benchmarks have been addressed and NICS reports have been created. TIG has created queries to identify NICS records. TIG is on track to complete the reports by the end of 2020.
		Updating the TIG Special Agent Handbook	TIG has continued to update sections within the Handbook. The sections are updated and reviewed by the U.S. Department of the Treasury, Office of Inspector General, and Office of Counsel prior to being finalized and signed by the Inspector General. TIG has finalized most sections of the handbook and implemented new policies regarding general investigative activities and the case management system. TIG has two chapters pending as of the submission of this report, but the NICS information was captured in an approved chapter. We consider this benchmark complete.
		Update to case management system	TIG addressed recent issues that unexpectedly appeared as a result of a significant update to its case management system. TIG is better positioned to capture information to enhance TIG's reporting of federal firearm prohibitors. TIG notified the software developer of several software bugs that impacted the identification of NICS records. TIG has met the goal of having major software upgrades completed by the end of 2020 and considers this benchmark complete with the caveat that software updates will continue to be applied in the future.
		Identifying felony and misdemeanor charges in the case management system	TIG researched all existing charges in the case management system and modified the labels to identify felony and misdemeanor charges. These new labels will be used to create new reports to identify NICS records. The new labels continue to be beneficial to the identification of NICS records. TIG will continue to work with the Office of Counsel and modify existing labels for the remaining charges in the case management system. TIG also identified newly added charges as felony or misdemeanor. TIG expects to complete this update by the end of 2020.

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Federal Agency	Is agency in substantial compliance with its benchmarks?	Benchmarks	Progress/Update
Department of the Treasury - OIG - continued	Yes	Provide training to supervisors and case agents	TIG conducted training for all employees in March 2020 prior to the Covid-19 pandemic. The training covered policies and procedures related to entries in the case management system, as well as information specific to NICS. TIG continues to hire new special agents, and training will be conducted for each of those agents once basic special agent training has been completed. For the purposes of this benchmark, TIG considers this benchmark complete with the caveat that all new employees will continue to receive training on the case management system and NICS.
Department of the Treasury - Office of the Treasury Inspector General for Tax Administration	Yes	TIGTA will verify all new arrest records and identify final disposition information no less than quarterly, and submit records to the Federal Bureau of Investigation (FBI) Criminal Justice Information Services (CJIS) Division within 15 days after the end of each quarter, whenever possible.	This benchmark has been achieved and regular reporting is underway. Our latest review covered the period of January 1, 2020, to June 30, 2020. A total of 11 Forms R-84 were submitted to the FBI to update records with final dispositions. Five cases were identified where there was no corresponding record in the Joint Automated Booking System (JABS) or the Interstate Identification Index (III). Efforts are underway to ensure those individuals are processed so that the final dispositions can be submitted via the Form R-84. In addition, five records were identified where subjects were booked under the wrong Originating Agency Identifier (ORI). TIGTA submitted requests to the FBI to have the ORI corrected to reflect TIGTA as the arresting agency. One record was identified that was a joint investigation with another agency and the subject was booked under the other agency's ORI; however, TIGTA submitted the Form R-84.
		Non-numerical goals for improved reporting include implementing internal procedures to ensure compliance and delivery of these procedures to all TIGTA Special Agents. The success of this goal can be verified by the accuracy of information or number of deficiencies identified during the reviews for quarterly submissions and by the number of record transmissions reported in the biannual certification.	During a prior reporting period, TIGTA issued interim guidance into the Office of Investigations Operations Manual with detailed instructions on NICS submissions, the process to update or remove records, and historical background information. The interim guidance was incorporated into TIGTA policy on July 1, 2020. This benchmark has been achieved as the NICS submissions are currently being processed in accordance with the established guidance.
		TIGTA's NICS Program Manager will monitor internal compliance through the continuous, but no less than quarterly, reviews of legal actions.	For the first quarter of 2020, TIGTA reviewed legal actions by querying our internal case management database in January 2020 and February 2020. For the second quarter, TIGTA reviewed legal actions in June 2020 for the period of March through June 2020. TIGTA'S NICS Program Manager identified eight TIGTA cases within the reporting period for which the dispositions had been reported to FBI/CJIS.

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Federal Agency	Is agency in substantial compliance with its benchmarks?	Benchmarks	Progress/Update
Department of the Treasury - Office of the Treasury Inspector General for Tax Administration- continued	Yes	Internal resources will be utilized, but the program will require the shift of some responsibilities and/or additional resources in order to allow the necessary time for a primary and alternate program manager, at a minimum, to identify and monitor continued compliance and the timely submission of records.	<p>This benchmark has been achieved and regular program oversight is underway as reported on the semiannual report dated July 22, 2019.</p> <p>In February 2020, TIGTA reorganized the NICS program and centralized the program management duties under TIGTA's Technical and Firearms Support Division. The reorganization created one point-of-contact responsible for R-84 submissions, biannual reporting, and policy development and implementation.</p>
		Compliance costs are expected to be approximately \$368,000, which encompasses the minimum resources needed for the initial implementation, but additional resources (approximately 18 special agents) are being used, as available, for the historical audit.	This benchmark has been previously completed and reported to the FBI on May 30, 2019.
		TIGTA expected to be in full compliance with the record submission requirements pursuant to the Fix NICS Act by June 1, 2019. TIGTA began making records available to NICS with the submission of missing disposition information related to TIGTA's ORI on March 12, 2019. The estimated date of completion for the historical audit of approximately 4,200 records was June 1, 2019. Procedures for reporting current information are underway and submissions of disposition information for the first quarter of calendar year 2019 were expected no later than April 15, 2019. Compliance will continue with submissions no less than quarterly, within 15 days after the end of the quarter.	This benchmark has been previously completed as reported on semiannual certification dated July 22, 2019.
Department of the Treasury - Mint Police	Yes	Develop automated Fix NICS pop-up screens in National Electronic Incident Reporting System (NEIRS) for verification of the presence of any NICS-relevant information; complete by the end of CY 2019.	Currently, the procurement to implement pop-up box for verification of Fix NICS compliance has been accomplished. A prior set of feature upgrades is very near completion and the Fix NICS compliance is being performed via a manual record check. The pop-up box which would indicate a record review at the time of closure is projected to be accomplished by 12/31/2020.
Department of Veterans Affairs - Veterans Benefits Administration	Yes	<p>Qualitative goals and quantitative measures.</p> <p>a. Numeric goals for improved record reporting has been accomplished.</p> <p>b. Non-numeric goals for improved record reporting. VBA will increase the frequency of reporting to the NICS Indices from monthly to weekly.</p>	<p>a. VBA continue to maintain 100% accuracy rate. Numeric goals for improved record reporting has been accomplished. All records where individuals are found incompetent to handle their affairs under 922(g)(4), are provided to the NICS.</p> <p>b. Effective July 7, 2020 the reporting frequency to NICS increased from monthly to weekly.</p>

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Federal Agency	Is agency in substantial compliance with its benchmarks?	Benchmarks	Progress/Update
Department of Veterans Affairs - Veterans Benefits Administration - continued	Yes	<p>Measures to monitor internal compliance, including any reporting failures or inaccuracies.</p> <p>VBA already has existing internal compliance monitoring measures in place.</p>	<p>VBA works diligently to ensure decision makers accurately identify incompetent beneficiaries for inclusion in the NICS program. Internal performance metrics and monthly quality checks are done using Systematic Technical Accuracy Review (STAR). This monthly review is a key mechanism for evaluating regional office performance nationwide, identifying program deficiencies and trends, and alerting managers of the need to take corrective actions.</p> <p>In addition to the STAR process, VBA performs an average of five quality checks on each decision maker monthly. This local review evaluates an individual's performance and provides immediate, focused feedback. To maintain employment, employees must meet the quality element in their specific performance standard by position.</p> <p>For NICS relief requests, VBA retrieves a listing of all pending requests each quarter and monitors processing timeliness to ensure these requests are completed within one year.</p>
		<p>Needs assessment, including estimated compliance costs.</p> <p>VBA maintains 100% accuracy on NICS reporting, thus, no needs assessment required. The goal in this category overlaps the goal above to increase the frequency of reporting to NICS.</p>	<p>VBA has maintained a 100% accuracy rate on its NICS reporting and will work to maintain this level of accuracy. VBA increased the NICS reporting frequency from monthly to weekly, for details please see response above. No additional cost incurred.</p>
		<p>Estimated date by which your agency will fully comply with requirements of making records available to the NICS.</p>	<p>VBA is fully compliant with the statutory requirements of the Fix NICS Act of 2018. All beneficiaries identified as incompetent for VA purposes have been reported since 1998.</p>
Department of Veterans Affairs - OIG	Yes	<p>Data collection capabilities for NICS data has been incorporated into our case management system.</p>	<p>Based on the reported benchmark, VA OIG will now be cross checking data pulled from the case management system and from supervisors to ensure accurate reporting, prior to the semi-annual submission. Since this is a new capability, VA OIG will continue to compare data for 3 to 4 submission cycles, to be sure there are no inaccuracies being reported.</p>
Environmental Protection Agency ^q	Yes	<p>EPA CID has provided additional guidance and training to special agents.</p>	<p>Training is provided to all EPA Special agents through annual in-service trainings as well as new hire during EPA CID Basic Training.</p>
		<p>EPA CID has developed a formal policy to ensure all relevant information is entered into NCIC.</p>	<p>Completed in 2020.</p>
		<p>EPA CID has upgraded its case management system.</p>	<p>Completed in 2020.</p>

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Federal Agency	Is agency in substantial compliance with its benchmarks?	Benchmarks	Progress/Update
Environmental Protection Agency - OIG	Yes	100% data accuracy for new records during a reporting period	We are ensuring 100% by submitting R84s every reporting period to NICS for any new or updated record.
		Informing agents on Fix NICS	We have informed agents of the Fix NICS requirement and are ensuring that they enter complete information through our semi-annual checks.
		Procedure for reporting	We are in the process of developing a formalized procedure to describe our process
		Monitoring internal compliance	During our semi-annual checks, we are ensuring the accuracy of our internal data as well as the NICS data through submissions of the R84s.
		Pre-2018 gaps in NICS information	We have completed our review of records prior to 2018 and submitted all relevant R84s to NICS. We are continuing to work with NICS on any gaps they have identified in our R84s to ensure they have the complete information and documents.
		Upgrade of EPA OIG's record tracking system	We are still in the process of upgrading our system, but we continue to monitor the records and information provided to NICS through the current system we have been using.
Export-Import Bank of the United States - OIG	Yes	N/A; already in full compliance	N/A; already in full compliance
Federal Deposit Insurance Corporation - OIG	Yes	Update to case management system to help automate future Fix NICS reporting and ensure all applicable information is captured.	<p>Previously Completed/Met.</p> <p>FDIC-OIG enhanced its case management system. The following are new features:</p> <ul style="list-style-type: none"> a. When an individual is convicted, distinguishing if the charge was a misdemeanor or a felony. b. What agency's ORI number was used at the time of arrest. c. The following violations were added: 922(g)(3)–Controlled Substance; 922(g)(4)–Mental Health Adjudications; 922(g)(5)–Illegal/Unlawful Alien; 922(g)(6)–Dishonorable Discharge; 922(g)(7)–Renounced Citizen; 922(g)(8) Domestic Violence Restraining Order; and 922(g)(9)–Misdemeanor Crime of Domestic Violence. d. Creating a new report, entitled 'FIX NICS' that summarizes information needed for the semi-annual certification.

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Federal Housing Finance Agency - OIG	Yes	Upload all future responsive (unsealed) records to the NICS database as soon as practicable, and no later than 90 days after the criminal action occurs, assuming availability of court records.	We met this benchmark during the semiannual reporting period.
		Over a five-year period, explore additional automation for our NICS compliance process, including programming new modules in our automated system of records and developing automated processes to transfer relevant data to NICS.	We have continued discussions on how to improve our tracking abilities in our system to capture and report updates when a subject's profile in NICS needs to be updated from A2 status to A1 status, as well as how to track and report subjects who are fugitives.
		Add automated prompts to our system of records which alert special agents and supervisors to verify all relevant NICS entries are complete.	Previously, we added prompts to coincide with established intervals, such as quarterly case reviews and case closing, to remind SAs and SACs. Benchmark completed.
General Services Administration - OIG	Yes	Agent compliance with new AIGI directive and policy in properly documenting case files with required information and documents directly linked to all criminal actions.	<p>During this reporting period, GSA OIG met and/or exceeded this implementation plan annual benchmark.</p> <p>This was accomplished by running quarterly and semiannual reports to extract investigative statistics from E-IDEAS to ensure agents are properly documenting case files and in ensuring documents are linked to all criminal actions as required by policy.</p>
		Conditional on funding availability, GSA OIG will implement identified enhancements to IDEAS to capture NICS related information and documentation from specific data fields in case files to incorporate into comprehensive statistical reports.	During this reporting period, we met and/or exceeded this implementation plan annual benchmark. The Policy and Compliance Branch has continued to identify potential enhancements to E-IDEAS which will increase our ability to more effectively and efficiently extract NICS reportable data from our case files. GSA OIG continues to work with our IT division and our contractor to identify costs associated with making these significant enhancements to our ecase system.
		Ensure case agent and supervisor confirm all pertinent records, including those containing NICS responsive documents, were submitted to NCIC/III and that NCIC records are accurate and complete, prior to case closure.	<p>During this reporting period, we met and/or exceeded this implementation plan, annual benchmark.</p> <p>This was accomplished by running quarterly and semiannual reports to extract investigative statistics from E-IDEAS to identify potentially relevant records that need to be reported to NICS.</p> <p>Additionally, supervisory staff have been instructed to incorporate NCIC/III submission validation in their mandatory 90-day case reviews for all open investigative files.</p>

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General Services Administration - OIG - continued	Yes	Ensure all subjects meeting NICS reporting requirements are reflected correctly in NCIC/III or were (directly reported) entered into NICS.	<p>During this reporting period, we met and/or exceeded this implementation plan, annual benchmark.</p> <p>This was accomplished by running quarterly and semiannual reports to extract investigative statistics from E-IDEAS to identify potentially relevant records that need to be reported to NICS. These records were cross-referenced in NCIC to ensure they were reflected correctly.</p> <p>In addition, we completed our historical review during this reporting cycle. This corresponds with our Implementation Plan where we advised that by year 3 we would ensure that 70% of all subjects meeting NICS reporting requirements are reflected correctly in NCIC/III or were directly reported to NICS.</p>
		Measures to monitor internal compliance, including any reporting failures or inaccuracies.	<p>The PCB has implemented procedures to ensure that a pre-validation of relevant records, including fingerprint cards and R-84s, are submitted to CJIS no less than quarterly.</p> <p>In addition, case agents are required by policy to upload relevant records to E-IDEAS and document that records were appropriately submitted to NCIC/III.</p> <p>Furthermore, supervisors are required by policy to conduct supervisory case reviews every 90 days to verify NCIC/III submissions are being completed and documented. Supervisors are also required to review all ecase files to confirm that all pertinent R-84s have been submitted and NCIC/III records are correct prior to case closure</p>
		Needs assessment, including estimated compliance costs.	<p>During this reporting period, GSA OIG met and/or exceeded this implementation plan, annual benchmark.</p> <p>This was accomplished by GSA OIG conducting a needs assessment to identify enhancements to the case management system to better track and report out NICS related data. During this reporting period GSA OIG submitted documentation to the contractor in order to get a quote for the enhancements.</p>
Government Publishing Office - OIG	Yes	The agency will continue to monitor all of its cases to ensure reportable occurrences are reported to Fix NICS.	The Information and guilty plea included in the most recent semiannual certification is reported by the U.S. Attorney's Office in the Northern District of Florida.

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Library of Congress - OIG	Yes	LOC OIG plans to report 100% of the required data on a semiannual basis to NICS. The AIGI will establish internal protocols in the LOC OIG Investigations Manual to ensure that data is reported timely and accurately. The AIGI will maintain supporting documentation for all reported data. LOC OIG's case management system allows for reporting of cases going through the legal process, which will greatly increase our ability to identify the cases where reporting is required. The AIGI will also inquire with the contractor who provides support for our electronic case management system regarding whether an automatic reminder can be triggered by the entering of information related to the NICS prohibitors.	LOC OIG tracks records in the Investigations Case Management System and continues to ensure that data is reported timely and accurately. We have amended our Investigations Manual to include reporting requirements and procedures. The Manual is awaiting final approval. Coordinated with case management contractors who highlighted the features that could assist.
		LOC OIG will take measures to monitor internal compliance, including any reporting failures or inaccuracies. The AIGI will be ultimately responsible for the accuracy of the information provided; however, to mitigate the risk of erroneous reporting, the information will go through an additional quality assurance process with the counsel to the IG.	This process remains in place.
		The costs for complying with the requirements of this plan are expected to be de minimis and not affect regular operations. LOC OIG will reassess, should the need arise.	No Changes
		LOC OIG will comply with the requirements of making records available to the NICS immediately and will ensure full compliance by the next semiannual reporting date, July 31, 2019.	Currently in compliance. This benchmark will be removed going forward.
National Aeronautics and Space Administration - OIG	Yes	N/A; already in full compliance	N/A; already in full compliance
National Archives and Records Administration - OIG	Yes	NARA OIG will review all possessed applicable records for accuracy and completeness upon the closure of each investigation and ensure 100% compliance of every reportable area.	Benchmark I met - NARA OIG is in compliance.
		NARA OIG policy requires investigative steps to be documented within five business days of activity. Also, policy requires periodic case progress reviews (not to exceed 90 days) where compliance with internal and external requirements are reviewed (including NICS reportable information). Additionally, a Case Closing Quality Assurance Checklist is completed at the conclusion of each investigation to ensure accuracy of information and verification for criminal statistics, which includes verifying all judicial information reported for the subject is accurate. NARA OIG performs an independent monthly quality assurance review of recently closed investigation to verify compliance with policy and data integrity. These steps include a review of compliance with criminal and civil information entry requirements.	Benchmark II met - NARA OIG is in compliance.
Nuclear Regulatory Commission	Yes	N/A; already in full compliance	N/A; already in full compliance

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Pension Benefit Guaranty Corporation - OIG	Yes	N/A; already in full compliance	N/A; already in full compliance
Pretrial Services Agency	Yes	PSA's goal is to stay within the 96% accuracy range in a given month.	To strive for 96% accuracy, PSA is in the process of implementing an internal automated procedure. Currently, PSA is manually reviewing the monthly reports sent from the NICS liaison, comparing data, and emails a csv file to the NICS liaison of records to delete.
		PSA has arranged with the NICS Liaison to automatically receive a file that includes each record with name and unique proprietary PSA Client ID (OCA), which exists in NICS. PSA has created a matching program to compare with the records in PRISM, those same IDs of those who qualify for the prohibitor. PSA will perform the comparison each month within 21 days of receiving the file. This will ensure that the records in PRISM are synchronized with those in the NICS index. Any outliers will be reconciled by IT staff and adjustments will be made if necessary. PSA's Office of Information Technology will oversee the management and performance of the quality assurance work	PSA is managing incremental progress by our internal quality assurance process.
		Estimated date by which your agency will fully comply with requirements of making records available to the NICS.	By June 2021, PSA's internal process will be documented and implemented.
Securities and Exchange Commission - OIG	Yes	N/A; already in full compliance	N/A; already in full compliance
Small Business Administration - OIG	Yes	N/A; already in full compliance	N/A; already in full compliance
Social Security Administration - OIG	Yes	N/A; already in full compliance	N/A; already in full compliance
United States Agency for International Development - OIG	Yes	N/A; already in full compliance	N/A; already in full compliance
United States Postal Inspection Service	Yes	The Inspection Service predicts it will increase the percent of arrests with dispositions by a minimum of 3% annually until it attains the maximum number of validated records. Based on current projections, USPIS anticipates it will increase the percentage of arrests with a disposition from 81% in FY 2019 to 93% in FY 2023.	The Inspection Service is on target to complete this benchmark by the defined goal of FY 2023.
		The Inspection Service will improve the record reporting process by implementing a monthly review of all relevant records to ensure the accuracy, as well as reporting of criminal history data to the NICS, NCIC, and NGI/III.	The Inspection Service is moving forward with implementing a monthly review of relevant records and anticipates having procedures in-place no later than January 2021.
		The Inspection Service CJIS Systems Officer (CSO) will meet with National Headquarters personnel to evaluate the need for a periodic internal audit to compare and validate case information with data provided to the NICS, NCIC, and NGI/III.	The impact of COVID19 to daily operations has delayed this benchmark until the next reporting period.

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Federal Agency	Is agency in substantial compliance with its benchmarks?	Benchmarks	Progress/Update
United States Postal Service - OIG	Yes	Since our last reporting in January 2020, the USPS OIG was reviewing historical arrest, indictment, and conviction information dating back to 2006 (over 13,000) and will make the appropriate entries into NICS, if applicable. The USPS OIG hired two full-time contractors to review these Federal arrests/convictions and make the required NICS entries.	USPS OIG is up to date with backlog. USPS OIG has completed all NICS entries dating back to 2006.
		The USPS OIG is also in the process of automating the NICS entry requirements within our Case Management system. This will require the agents to fill out the NICS Prohibitors when entering case results in their electronic case file. This new initiation will streamline our internal procedures.	The new robust reporting capabilities have been created in our Case Management System, which allows this functionality to be accurate and available real time.
		The USPS OIG has developed a NICS policy and procedures. The USPS OIG will also develop a quick guide for agents to reference when entering their NICS information.	The new policy, procedures, and quick guide will be sent up the chain for review and approval, estimate completion time is August 2020. Updates had to be made to the procedures and guide guides due to the automatics of NICS requirements in our Case Management system.
		The USPS OIG will certify and train the seven Investigative Analyst in our Area Field Offices (AFOs) how make the appropriate NICS entries when necessary.	The scheduled completion will be August 2020. The AFO IAs will be trained to take over the NICS duties from the current team conducting NICS inquires/entries.
		The USPS OIG will continue to provide FIX NICS training to our Special Agents during our In-Service conferences and New Agent trainings.	Continuous.