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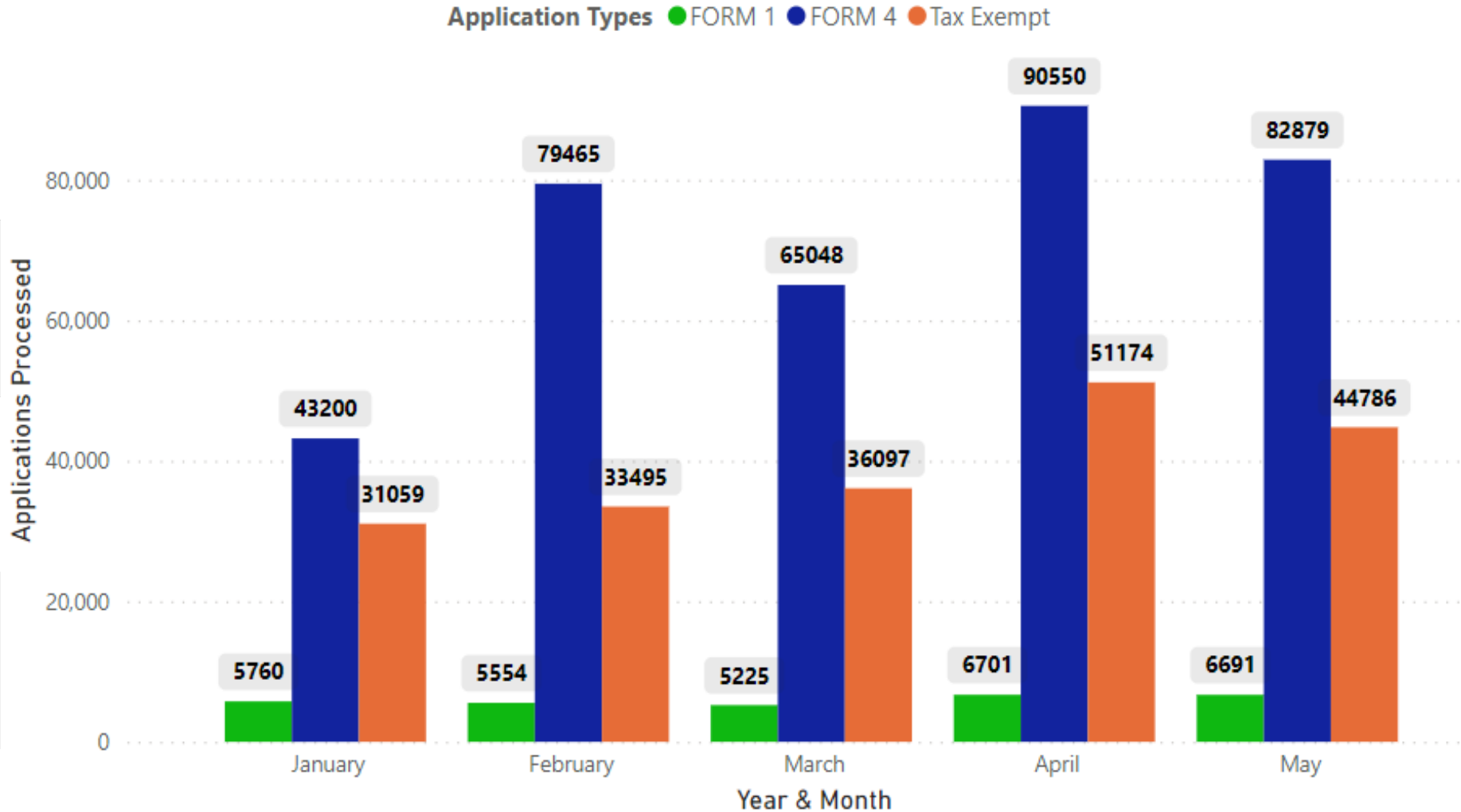
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U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

Total Applications Processed (CY24)



Total Pending Applications

- **317,370** - End of FY22 Pending Applications
- **261,606** - End of FY23 Pending Applications
 - **18%** decrease from FY22
- **180,067** – Pending Applications as of 6/3/2024
 - **49%** decrease from FY22
 - **31%** decrease from FY23

NFA Processing

- NFA Division may not lawfully approve an application when it would place the transferee or maker of the NFA firearm in violation of law.
- As part of the NFA application process, NFA Division will submit the maker's or transferee's information to FBI-NICS to undergo a background check.
- NFA Division will not take final action on a NFA application unless FBI-NICS has responded with a "Deny," "Proceed," or has exhausted all resources attempting to resolve an "Open" background check.
 - An "Open" background check is one where there are records evidencing a firearms disability, but FBI-NICS is unable to make a final determination. For example, an arrest record for domestic battery, but there is no final disposition. FBI will attempt to contact the arresting agency or court for resolution.

NFA Processing

**NFA Division does not
perform background
checks.**

NFA Processing

- Previously, NFA Division processed applications on a First In First Out basis generally working the applications that were submitted in each month in successive order.
- Processing applications on a First In First Out basis is untenable when FBI-NICS is an “upstream supplier.”
 - NFA cannot take final action on an application until it receives the background check response from FBI-NICS.

NFA Processing

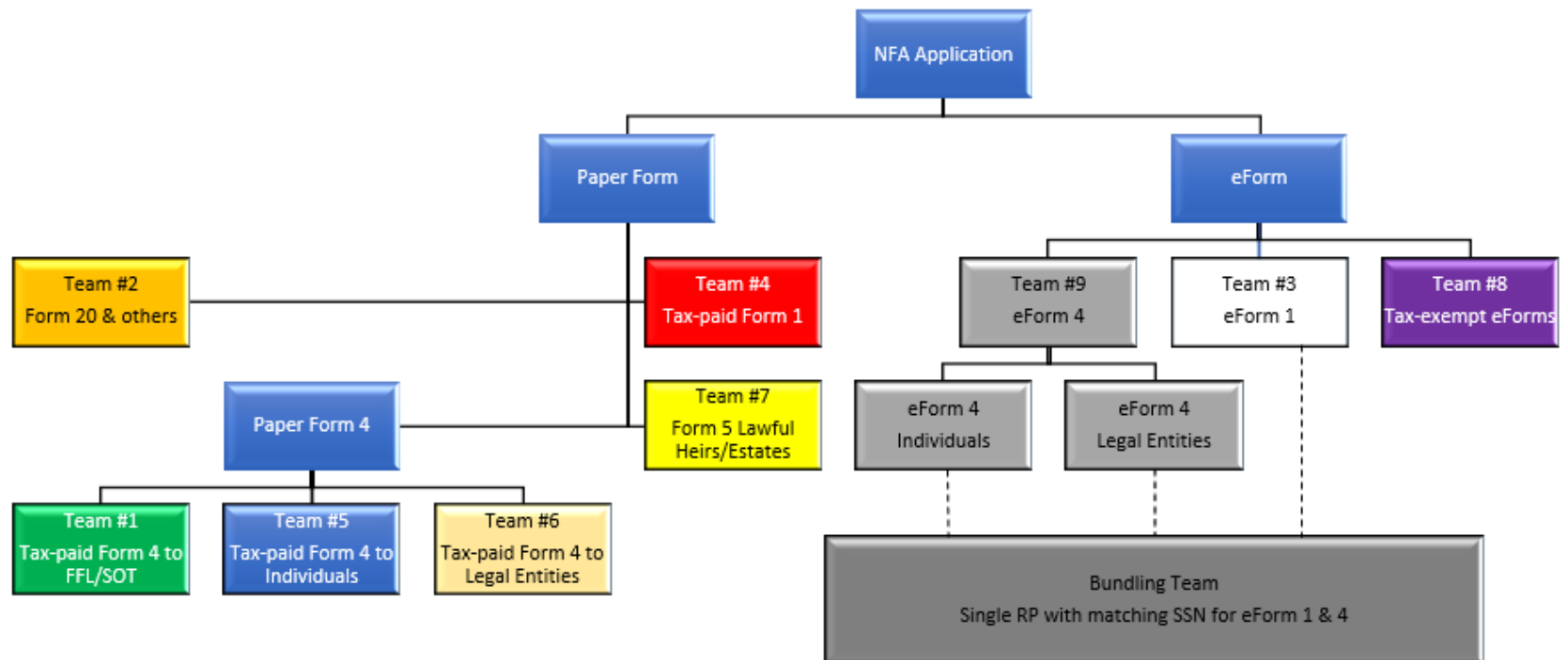
If not First In First Out, then what guides the processing?

- Responses from FBI-NICS.
- NFA Division is focusing its resources to review and process only those applications where there is a response to the background check.

NFA Processing

- Swim Lanes:
 - Individuals
 - Individual Bundling
 - Trusts
 - Trust Bundling

NFA Processing



NFA Processing

- Currently, NFA Division is processing eForm Individual applications real time upon receiving a Proceed back from FBI-NICS.
- NFA Division often runs out of “proceeds” for eForm 4 Individual applications.
- When “proceeds” for eForm 4 Individuals are exhausted, examiners transition to processing eForm 4 Trust applications that have responses to background checks for **EACH** responsible person.

NFA Processing

- My application is still pending but my friend's application that was submitted at the same time was approved, why?
 - Background check
 - Errors on the application
 - Errors on the supporting documentation
 - Trust v. Individual

NFA Processing

- My background check has not been sent to FBI-NCIS, why?
 - Background check requests are submitted to FBI-NICS in daily batches.
 - This ensures the background check is performed and the response received when the NFA application is ready to be reviewed by an examiner.

NFA Processing

- My background check was sent to FBI-NICS, but is still pending?
 - There are approximately 86,000 NFA background checks currently in a delayed or researching status with FBI-NICS.

NFA Processing

National Instant Criminal Background Check System — Tableau Report — NICS ATF Queues

NICS ATF Queues

Time Run: 06/03/2024 12:26:28 AM

* View excludes purpose codes with zero values.

PURPOSE CODE	PURPOSE DESCRIPTION	NTN COUNT	OLDEST
15	Explosives - Responsible Persons	237	08/01/2023 0
16	Explosives - Possessor	13,601	07/27/2023 0
19	National Firearms Act background check	86,861	07/28/2023 10
20	ATF Firearms Licensee background check	10,639	07/27/2023 1:
33	Recheck	2	03/25/2024 0:

NFA Processing

- What can I do to ensure my background check is processed timely and accurately by FBI-NICS?
 - Although not required, providing your social security number avoids delays, especially if you are an instant proceed for GCA firearm transfers.
 - Avoids common name issues.

NFA Processing

- Why is my Trust application taking so long?
 - Several additional review steps, for example:
 - Reading each trust document to ensure it is a legitimate trust;
 - Reading each trust document to ensure every responsible person to the trust submitted the required responsible person questionnaire;
 - Reviewing each responsible person questionnaire to ensure the information matches the information entered into eForms.

NFA Processing

- What other factors attribute to longer processing times for trusts?
 - Failure to submit a responsible person questionnaire for each responsible person named in the trust;
 - Failure to submit a valid trust, e.g., there is only one person named in the trust and is identified as the settlor, trustee, and beneficiary (merger doctrine);
 - The name of the trust on the NFA application is different than the name of the trust in the trust document;
 - The information in the responsible person questionnaire does not match the information entered into eForms;
 - The background check is delayed for one or more responsible persons;
 - The trust applicant submits a responsible person questionnaire for a minor.

Coming Soon - Corrections within eForms

- Initially, only applicable to the eForm 4.
- The application can be returned once by an examiner for corrections.
- Corrections must be made and the application resubmitted within seven days.
- If the application is not resubmitted, it will be automatically disapproved.
- If all background checks already have Proceed(s), the resubmitted application will go back into the queue for final review and approval by an examiner.

Questions?