

From: Violeta Navarro
To: ACCESS Users
Date: September 21, 2022
Subject: NICS Denial Notification Act (NDNA) - Starting 9/26/2022

Hello ACCESS Users,

The NICS Denial Notification Act (NDNA) was passed in March 2022 as part of the Federal Appropriations Act. The NDNA requires the National Instant Criminal Background Check System (NICS) to report denied attempts to purchase a firearm within 24 hours to local authorities based on where the firearm dealer is located and, if different, where the subject resides. Please see the attached document from the Department of Justice for a more detailed explanation.

RCW 9.41.114 requires Washington State firearm dealers to notify the Washington Association of Sheriffs and Police Chiefs (WASPC) of all denied firearm applicants. WASPC, in turn, provides local agencies with this information for follow up investigations and grant purposes. This information is also provided to the Washington State Patrol on a daily basis for entry into the WACIC as Denied Firearm Applicants under the Person of Interest file.

Beginning next Monday, September 26, 2022, these new notifications from NICS will be sent to agencies via ACCESS administrative message ("AM Message") to their main ACCESS terminal. The FBI has worked closely with state and tribal contacts to map the correct location for notifications to be sent based upon national ZIP code, county, and city analyses. The notification will contain a wide variety of information including details related to the subject and the attempted purchase. However, because FBI NICS cannot reasonably know all the jurisdictional boundaries of criminal justice agencies in our state, they will be sending messages to all agencies that MAY have jurisdiction (based on the ZIP code). For example, if a person is denied in Yakima, both Yakima PD and Yakima SO may receive the message if the ZIP code covers both city and county jurisdictions. The process of including notifications to multiple potential agencies is being done to help facilitate collaboration and to ensure de-confliction.

There is no requirement for any action on your part upon receipt of the NICS messages. Each agency will need to establish its own protocol, policy, and/or procedure as it relates to these messages.

Unfortunately, we cannot turn these messages off (we have asked). The FBI NICS Section is required by law to send these notifications.

Thank you,

Violeta Navarro

Information Security Officer

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[ACCESS Webpage](#)



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