TITLE XI—LAW ENFORCEMENT
TOOLS TO ENHANCE PUBLIC SAFETY

SEC. 1101. NICS DENIAL NOTIFICATION ACT OF 2022.

(a) Short Title.—This section may be cited as the “NICS Denial Notification Act of 2022”.

(b) Local Law Enforcement Authority Defined.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

“(36) The term ‘local law enforcement authority’ means a bureau, office, department or other authority of a State or local government or Tribe that has jurisdiction to investigate a violation or potential violation of, or enforce, a State, local, or Tribal law.”.

(c) Amendment.—Chapter 44 of title 18, United States Code, is amended by inserting after section 925A the following:

“§925B. Reporting of background check denials to State authorities

“(a) In General.—If the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901) (referred to in this section as ‘NICS’) provides a notice pursuant to section 922(t) that the receipt of a fire-
arm by a person would violate subsection (g) or (n) of section 922 or State, local, or Tribal law, the Attorney General shall, in accordance with subsection (b) of this section—

“(1) report to the local law enforcement authority of the State or Tribe where the person sought to acquire the firearm and, if different, the local law enforcement authorities of the State or Tribe of residence of the person—

“(A) that the notice was provided;

“(B) the Federal, State, local or Tribal prohibition;

“(C) the date and time the notice was provided;

“(D) the location of the licensee where the firearm was sought to be transferred; and

“(E) the identity of the person; and

“(2) where practicable, report the incident to State and local prosecutors or Tribal prosecutors in the jurisdiction where the firearm transfer was sought.

“(b) REQUIREMENTS FOR REPORT.—A report is made in accordance with this subsection if the report is made under subsection (a) within 24 hours after the NICS denies a firearm transfer in accordance with section 922(t)
of title 18, United States Code, except that the making of the report may be delayed for so long as is necessary to avoid compromising an ongoing investigation.

“(c) AMENDMENT OF REPORT.—If a report is made in accordance with subsection (b) and, after such report is made, the Federal Bureau of Investigation determines that the receipt of a firearm by a person for whom the report was made would not violate subsection (g) or (n) of section 922 or State, local, or Tribal law, the Attorney General shall notify any law enforcement authority and any prosecutor to whom the report was made of that determination.

“(d) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to require a report with respect to a person to be made to the same State authorities that made the original denial determination with respect to the transfer of the firearm.”.

(d) CLERICAL AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 925A the following:

“925B. Reporting of background check denials to State authorities.”.

SEC. 1102. ANNUAL REPORT TO CONGRESS.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, as amended by section 1101, is amended by inserting after section 925B the following:
§ 925C. Annual report to Congress

“Not later than 1 year after the date of enactment of this section, and annually thereafter, the Attorney General shall submit to Congress a report detailing the following, broken down by Federal judicial district:

“(1) With respect to each category of persons prohibited by subsection (g) or (n) of section 922 or State law from receiving or possessing a firearm who are so denied a firearm—

“(A) the number of denials;

“(B) the number of denials referred to the Bureau of Alcohol, Tobacco, Firearms, and Explosives;

“(C) the number of denials for which the Bureau of Alcohol, Tobacco, Firearms, and Explosives determines that the person denied was not prohibited by subsection (g) or (n) of section 922 or State law from receiving or possessing a firearm;

“(D) the number of denials overturned through the appeals process of the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901);

“(E) the number of denials with respect to which an investigation was opened by a field di-
vision of the Bureau of Alcohol, Tobacco, Firearms, and Explosives;

“(F) the number of persons charged with a Federal criminal offense in connection with a denial; and

“(G) the number of convictions obtained by Federal authorities in connection with a denial.

“(2) The number of background check notices reported pursuant to section 925B (including the number of the notices that would have been so reported but for section 925B(e)).”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, as amended by section 1101, is amended by inserting after the item relating to section 925B the following:

“925C. Annual report to Congress.”.

SEC. 1103. SPECIAL ASSISTANT U.S. ATTORNEYS AND CROSS-DEPUTIZED ATTORNEYS.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, as amended by section 1102, is further amended by inserting after section 925C the following: