

1 **TITLE XI—LAW ENFORCEMENT**
2 **TOOLS TO ENHANCE PUBLIC**
3 **SAFETY**

4 **SEC. 1101. NICS DENIAL NOTIFICATION ACT OF 2022.**

5 (a) SHORT TITLE.—This section may be cited as the
6 “NICS Denial Notification Act of 2022”.

7 (b) LOCAL LAW ENFORCEMENT AUTHORITY DE-
8 FINED.—Section 921(a) of title 18, United States Code,
9 is amended by adding at the end the following:

10 “(36) The term ‘local law enforcement author-
11 ity’ means a bureau, office, department or other au-
12 thority of a State or local government or Tribe that
13 has jurisdiction to investigate a violation or potential
14 violation of, or enforce, a State, local, or Tribal
15 law.”.

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

19 **“§ 925B. Reporting of background check denials to**
20 **State authorities**

21 “(a) IN GENERAL.—If the national instant criminal
22 background check system established under section 103
23 of the Brady Handgun Violence Prevention Act (34 U.S.C.
24 40901) (referred to in this section as ‘NICS’) provides a
25 notice pursuant to section 922(t) that the receipt of a fire-

1 arm by a person would violate subsection (g) or (n) of
2 section 922 or State, local, or Tribal law, the Attorney
3 General shall, in accordance with subsection (b) of this
4 section—

5 “(1) report to the local law enforcement author-
6 ity of the State or Tribe where the person sought to
7 acquire the firearm and, if different, the local law
8 enforcement authorities of the State or Tribe of resi-
9 dence of the person—

10 “(A) that the notice was provided;

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

13 “(C) the date and time the notice was pro-
14 vided;

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

17 “(E) the identity of the person; and

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

22 “(b) REQUIREMENTS FOR REPORT.—A report is
23 made in accordance with this subsection if the report is
24 made under subsection (a) within 24 hours after the NICS
25 denies a firearm transfer in accordance with section 922(t)

1 of title 18, United States Code, except that the making
2 of the report may be delayed for so long as is necessary
3 to avoid compromising an ongoing investigation.

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

13 “(d) RULE OF CONSTRUCTION.—Nothing in sub-
14 section (a) shall be construed to require a report with re-
15 spect to a person to be made to the same State authorities
16 that made the original denial determination with respect
17 to the transfer of the firearm.”.

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

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

22 **SEC. 1102. ANNUAL REPORT TO CONGRESS.**

23 (a) IN GENERAL.—Chapter 44 of title 18, United
24 States Code, as amended by section 1101, is amended by
25 inserting after section 925B the following:

1 **“§ 925C. Annual report to Congress**

2 “Not later than 1 year after the date of enactment
3 of this section, and annually thereafter, the Attorney Gen-
4 eral shall submit to Congress a report detailing the fol-
5 lowing, broken down by Federal judicial district:

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

10 “(A) the number of denials;

11 “(B) the number of denials referred to the
12 Bureau of Alcohol, Tobacco, Firearms, and Ex-
13 plosives;

14 “(C) the number of denials for which the
15 Bureau of Alcohol, Tobacco, Firearms, and Ex-
16 plosives determines that the person denied was
17 not prohibited by subsection (g) or (n) of sec-
18 tion 922 or State law from receiving or pos-
19 sessed a firearm;

20 “(D) the number of denials overturned
21 through the appeals process of the national in-
22 stant criminal background check system estab-
23 lished under section 103 of the Brady Handgun
24 Violence Prevention Act (34 U.S.C. 40901);

25 “(E) the number of denials with respect to
26 which an investigation was opened by a field di-

1 vision of the Bureau of Alcohol, Tobacco, Fire-
2 arms, and Explosives;

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

6 “(G) the number of convictions obtained
7 by Federal authorities in connection with a de-
8 nial.

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

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

“925C. Annual report to Congress.”.

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

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