


# VOLUNTARY APPEAL FILE (VAF) APPLICATION

**Please fill out the following information: (\* Mandatory Information)**

THIS APPLICATION MUST BE ACCOMPANIED WITH A COMPLETED FINGERPRINT CARD


NOTE: If you are interested in applying for the VAF, please ensure you read and sign the Applicant's Statement on this application. An application **cannot** be processed without your signature.

U.S. Department of Justice  
Federal Bureau of Investigation  
Criminal Justice Information Services Division



OMB No: 1110-0043

# voluntary Appeal File



**THIS IS NOT AN APPEAL BROCHURE.**

**FOR MORE VAF INFORMATION:**  
Customer Service 1-877-FBI-NICS (324-6427)  
Telecommunications Device for the Deaf (TDD)  
1-877-NICS-TTY (6427-889)

April 2013

\*Last Name                      \*First Name                      Middle Name                      Suffix (i.e., Jr., Sr., II)

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Social Security Number                      \*State of Residence                      Telephone Number

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\*Date of Birth                      \*Place of Birth                      Ethnicity                      \*Race (Check one or more boxes)  
\*Month   \*Day   \*Year                      (State)

*Gender				<input type="checkbox"/> Hispanic or Latino  <input type="checkbox"/> Not Hispanic or Latino	<input type="checkbox"/> American Indian or Alaskan Native <input type="checkbox"/> Black or African American <input type="checkbox"/> Asian <input type="checkbox"/> Native Hawaiian or Other Pacific Islander <input type="checkbox"/> White		
<input type="checkbox"/> Male <input type="checkbox"/> Female							

\*Country of Citizenship  
United States    Yes    No  
If no, list \_\_\_\_\_

\*MAILING ADDRESS (for receiving correspondence):  
\_\_\_\_\_  
\_\_\_\_\_

Alien Registration Number  
(\*Mandatory if Country of Citizenship is other than U.S.)  
\_\_\_\_\_

**APPLICANT'S STATEMENT:**

I give the information on my VAF application voluntarily with the understanding that if my application is successful, I will be entered into the VAF, maintained by the FBI Criminal Justice Information Services Division's National Instant Criminal Background Check System (NICS) Section. I understand if at any time I wish to be removed from the VAF, I can make a request in writing to the NICS Section to be removed. I also understand if the NICS Section discovers a disqualifying record after my entry into the VAF, the NICS Section may remove my information from the file.

\_\_\_\_\_  
**SIGNATURE**

\_\_\_\_\_  
**DATE**

*This brochure with your signature and your fingerprint card must be submitted by mail, fax or e-mail.*



## What is the VAF?

The Voluntary Appeal File (VAF) provides you a way to request the NICS keep information to clarify your criminal history or identity in order to avoid erroneous denials or unnecessary delays in the future.

The NICS Section will notify you during the appeals process if submitting a VAF application may help you avoid future erroneous denials or extended delays. Do not submit a VAF application if you are prohibited from receiving or possessing a firearm.

## Federal Prohibitions

Title 18, United States Code (U.S.C.), Section 922(g) and (n) of the Gun Control Act prohibits certain individuals from receiving or possessing firearms. Those federal prohibitions are:

18 U.S.C. §922(g)(1)—Has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year

18 U.S.C. §922(g)(2)—Is a fugitive from justice

18 U.S.C. §922(g)(3)—Is an unlawful user of or addicted to any controlled substance

18 U.S.C. §922(g)(4)—Has been adjudicated as a mental defective or committed to a mental institution

18 U.S.C. §922(g)(5)—Is an alien illegally or unlawfully in the United States or who has been admitted to the United States under a nonimmigrant visa

18 U.S.C. §922(g)(6)—Has been discharged from the Armed Forces under dishonorable conditions

18 U.S.C. §922(g)(7)—Having been a citizen of the United States, has renounced U.S. citizenship

18 U.S.C. §922(g)(8)—Is subject to a court order that restrains the person from harassing, stalking, or

threatening an intimate partner or child of such intimate partner

18 U.S.C. §922(g)(9)—Has been convicted in any court of a misdemeanor crime of domestic violence

18 U.S.C. §922(n)—Is under indictment for a crime punishable by imprisonment for a term exceeding one year

## Submitting a VAF Application

You may voluntarily supply the NICS Section with information such as your name, date of birth, social security number, and any other identifying information using the VAF application to request entry into this file. Your signature under the Applicant's Statement is required to give the NICS Section permission to retain your information in the VAF. Documents which may clarify records or prove your identity will be entered into the VAF along with your descriptive data from this application.

To apply for entry into the VAF, you must:

- Complete and sign the VAF application
- Ensure all mandatory information marked with a \* is provided, or your VAF application will not be processed
- Provide a set of your fingerprints.
- Your completed application and fingerprints and supporting documentation (if applicable) can be submitted by one of the following methods:

Mail:

Federal Bureau of Investigation  
Criminal Justice Information Services Division  
NICS Section  
Post Office Box 4278  
Clarksburg, WV 26302-4278

Fax: (304) 625-0535  
Internet: <[www.fbi.gov/nics-appeals](http://www.fbi.gov/nics-appeals)>

## Privacy Act Statement

Authority: The FBI's acquisition, preservation, and exchange of information requested by this form is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include numerous Federal statutes, hundreds of State statutes pursuant to Pub.L. 92-544, Presidential executive orders, regulations and/or orders of the Attorney General of the United States, or other authorized authorities. Examples include, but are not limited to: 5 U.S.C. 9101; Pub.L. 94-29; Pub.L. 101-604; and Executive Orders 10450 and 12968. Providing the requested information is voluntary; however, failure to furnish the information may affect timely completion or approval of your application.

Social Security Account Number (SSAN). Your SSAN is needed to keep records accurate because other people may have the same name and birth date. Pursuant to the Federal Privacy Act of 1974 (5 USC 552a), the requesting agency is responsible for informing you whether disclosure is mandatory or voluntary, by what statutory or other authority your SSAN is solicited, and what uses will be made of it. Executive Order 9397 also asks Federal agencies to use this number to help identify individuals in agency records.

Principal Purpose: Certain determinations, such as employment, security, licensing, and adoption, may be predicated on fingerprint-based checks. Your fingerprints and other information contained on (and along with) this form may be submitted to the requesting agency, the agency conducting the application investigation, and/or FBI for the purpose of comparing the submitted information to available records in order to identify other information that may be pertinent to the application. During the processing of this application, and for as long hereafter as may be relevant to the activity for which this application is being submitted, the FBI may disclose any potentially pertinent information to the requesting agency and/or to the agency conducting the investigation. The FBI may also retain the submitted information in the FBI's permanent collection of fingerprints and related information, where it will be subject to comparisons against other submissions received by the FBI. Depending on the nature of your application, the requesting agency and/or the agency conducting the application investigation may also retain the fingerprints and other submitted information for other authorized purposes of such agency(ies).

Routine Uses: The fingerprints and information reported on this form may be disclosed pursuant to your consent, and may also be disclosed by the FBI without your consent as permitted by the Federal Privacy Act of 1974 (5 USC 552a(b)) and all applicable routine uses as may be published at any time in the Federal Register, including the routine uses for the FBI Fingerprint Identification Records System (Justice/FBI-009) and the FBI's Blanket Routine Uses (Justice/FBI-BRU). Routine uses include, but are not limited to, disclosures to: appropriate governmental authorities responsible for civil or criminal law enforcement, counterintelligence, national security or public safety matters to which the information may be relevant; to State and local governmental agencies and nongovernmental entities for application processing as authorized by Federal and State legislation, executive order, or regulation, including employment, security, licensing, and adoption checks; and as otherwise authorized by law, treaty, executive order, regulation, or other lawful authority. If other agencies are involved in processing this application, they may have additional routine uses.

Additional Information: The requesting agency and/or the agency conducting the application-investigation will provide you additional information pertinent to the specific circumstances of this application, which may include identification of other authorities, purposes, uses, and consequences of not providing requested information. In addition, any such agency in the Federal Executive Branch has also published notice in the Federal Register describing any system(s) of records in which that agency may also maintain your records, including the authorities, purposes, and routine uses for the system(s).

## Paperwork Reduction Act

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. The FBI Criminal Justice Information Services (CJIS) Division's National Instant Criminal Background Check System (NICS) Section tries to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden to you to provide us with information. The estimated average time to complete the application is 5 minutes, 2 hours for fingerprinting, and 25 minutes for mailing for a total of 2.5 hours. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the FBI CJIS Division's NICS Section, Post Office Box 4278, Clarksburg, West Virginia 26302-9922.