

2019–2022 FIST OMB Attachments

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34 USC Subtitle I, CHAPTER 101, SUBCHAPTER III: BUREAU OF JUSTICE STATISTICS

From Title 34—CRIME CONTROL AND LAW ENFORCEMENT

Subtitle I—Comprehensive Acts

CHAPTER 101—JUSTICE SYSTEM IMPROVEMENT

SUBCHAPTER III—BUREAU OF JUSTICE STATISTICS

§10131. Statement of purpose

It is the purpose of this subchapter to provide for and encourage the collection and analysis of statistical information concerning crime, juvenile delinquency, and the operation of the criminal justice system and related aspects of the civil justice system and to support the development of information and statistical systems at the Federal, State, and local levels to improve the efforts of these levels of government to measure and understand the levels of crime, juvenile delinquency, and the operation of the criminal justice system and related aspects of the civil justice system. The Bureau shall utilize to the maximum extent feasible State governmental organizations and facilities responsible for the collection and analysis of criminal justice data and statistics. In carrying out the provisions of this subchapter, the Bureau shall give primary emphasis to the problems of State and local justice systems.

(Pub. L. 90–351, title I, §301, as added Pub. L. 96–157, §2, Dec. 27, 1979, 93 Stat. 1176; amended Pub. L. 98–473, title II, §605(a), Oct. 12, 1984, 98 Stat. 2079.)

CODIFICATION

Section was formerly classified to section 3731 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 301 of Pub. L. 90–351, title I, June 19, 1968, 82 Stat. 199; Pub. L. 91–644, title I, §4(1)–(4), Jan. 2, 1971, 84 Stat. 1882; Pub. L. 93–83, §2, Aug. 6, 1973, 87 Stat. 199; Pub. L. 94–503, title I, §§109, 128(b), Oct. 15, 1976, 90 Stat. 2411, 2424, related to purposes and categories of grants for law enforcement and criminal justice purposes, prior to the general amendment of this chapter by Pub. L. 96–157.

AMENDMENTS

1984—Pub. L. 98–473 struck out "(including white-collar crime and public corruption)" after "information concerning crime" and "(including crimes against the elderly, white-collar crime, and public corruption)" after "levels of crime".

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98–473 effective Oct. 12, 1984, see section 609AA(a) of Pub. L. 98–473, set out as an Effective Date note under section 10101 of this title.

§10132. Bureau of Justice Statistics

(a) Establishment

There is established within the Department of Justice, under the general authority of the Attorney General, a Bureau of Justice Statistics (hereinafter referred to in this subchapter as "Bureau").

(b) Appointment of Director; experience; authority; restrictions

The Bureau shall be headed by a Director appointed by the President. The Director shall have had experience in statistical programs. The Director shall have final authority for all grants, cooperative agreements, and contracts awarded by the Bureau. The Director shall be responsible for the integrity of data and statistics and shall protect against improper or illegal use or disclosure. The Director shall report to the Attorney General through the Assistant Attorney General. The Director shall not engage in any other employment than that of serving as Director; nor shall the Director hold any office in, or act in any capacity for, any organization, agency, or institution with which the Bureau makes any contract or other arrangement under this Act.

(c) Duties and functions of Bureau

The Bureau is authorized to—

(1) make grants to, or enter into cooperative agreements or contracts with public agencies, institutions of higher education, private organizations, or private individuals for purposes related to this subchapter; grants shall be made subject to continuing compliance with standards for gathering justice statistics set forth in rules and regulations promulgated by the Director;

(2) collect and analyze information concerning criminal victimization, including crimes against the elderly, and civil disputes;

(3) collect and analyze data that will serve as a continuous and comparable national social indication of the prevalence, incidence, rates, extent, distribution, and attributes of crime, juvenile delinquency, civil disputes, and other statistical factors related to crime, civil disputes, and juvenile delinquency, in support of national, State, tribal, and local justice policy and decisionmaking;

(4) collect and analyze statistical information, concerning the operations of the criminal justice system at the Federal, State, tribal, and local levels;

(5) collect and analyze statistical information concerning the prevalence, incidence, rates, extent, distribution, and attributes of crime, and juvenile delinquency, at the Federal, State, tribal, and local levels;

(6) analyze the correlates of crime, civil disputes and juvenile delinquency, by the use of statistical information, about criminal and civil justice systems at the Federal, State, tribal, and local levels, and about the extent, distribution and attributes of crime, and juvenile delinquency, in the Nation and at the Federal, State, tribal, and local levels;

(7) compile, collate, analyze, publish, and disseminate uniform national statistics concerning all aspects of criminal justice and related aspects of civil justice, crime, including crimes against the elderly, juvenile delinquency, criminal offenders, juvenile delinquents, and civil disputes in the various States and in Indian country;

(8) recommend national standards for justice statistics and for insuring the reliability and validity of justice statistics supplied pursuant to this chapter;

(9) maintain liaison with the judicial branches of the Federal Government and State and tribal governments in matters relating to justice statistics, and cooperate with the judicial branch in assuring as much uniformity as feasible in statistical systems of the executive and judicial branches;

(10) provide information to the President, the Congress, the judiciary, State, tribal, and local governments, and the general public on justice statistics;

(11) establish or assist in the establishment of a system to provide State, tribal, and local governments with access to Federal informational resources useful in the planning, implementation, and evaluation of programs under this Act;

(12) conduct or support research relating to methods of gathering or analyzing justice statistics;

(13) provide for the development of justice information systems programs and assistance to the States, Indian tribes, and units of local government relating to collection, analysis, or dissemination of justice statistics;

(14) develop and maintain a data processing capability to support the collection, aggregation, analysis and dissemination of information on the incidence of crime and the operation of the criminal justice system;

(15) collect, analyze and disseminate comprehensive Federal justice transaction statistics (including statistics on issues of Federal justice interest such as public fraud and high technology crime) and to provide technical assistance to and work jointly with other Federal agencies to improve the availability and quality of Federal justice data;

(16) provide for the collection, compilation, analysis, publication and dissemination of information and statistics about the prevalence, incidence, rates, extent, distribution and attributes of drug offenses, drug related offenses and drug dependent offenders and further provide for the establishment of a national clearinghouse to maintain and update a comprehensive and timely data base on all criminal justice aspects of the drug crisis and to disseminate such information;

(17) provide for the collection, analysis, dissemination and publication of statistics on the condition and progress of drug control activities at the Federal, State, tribal, and local levels with particular attention to programs and intervention efforts demonstrated to be of value in the overall national anti-drug strategy and to provide for the establishment of a national clearinghouse for the gathering of data generated by Federal, State, tribal, and local criminal justice agencies on their drug enforcement activities;

(18) provide for the development and enhancement of State, tribal, and local criminal justice information systems, and the standardization of data reporting relating to the collection, analysis or dissemination of data and statistics about drug offenses, drug related offenses, or drug dependent offenders;

(19) provide for improvements in the accuracy, quality, timeliness, immediate accessibility, and integration of State and tribal criminal history and related records, support the development and enhancement of national systems of criminal history and related records including the National Instant Criminal Background Check System, the National Incident-Based Reporting System, and the records of the National Crime Information Center, facilitate State and tribal participation in national records and information systems, and support statistical research for critical analysis of the improvement and utilization of criminal history records;

(20) maintain liaison with State, tribal, and local governments and governments of other nations concerning justice statistics;

(21) cooperate in and participate with national and international organizations in the development of uniform justice statistics;

(22) ensure conformance with security and privacy requirement of section 10231 of this title and identify, analyze, and participate in the development and implementation of privacy, security and information policies which impact on Federal, tribal, and State criminal justice operations and related statistical activities; and

(23) exercise the powers and functions set out in subchapter VII.

(d) Justice statistical collection, analysis, and dissemination

(1) In general

To ensure that all justice statistical collection, analysis, and dissemination is carried out in a coordinated manner, the Director is authorized to—

(A) utilize, with their consent, the services, equipment, records, personnel, information, and facilities of other Federal, State, local, and private agencies and instrumentalities with or without reimbursement therefor, and to enter into agreements with such agencies and instrumentalities for purposes of data collection and analysis;

(B) confer and cooperate with State, municipal, and other local agencies;

(C) request such information, data, and reports from any Federal agency as may be required to carry out the purposes of this chapter;

(D) seek the cooperation of the judicial branch of the Federal Government in gathering data from criminal justice records;

(E) encourage replication, coordination and sharing among justice agencies regarding information systems, information policy, and data; and

(F) confer and cooperate with Federal statistical agencies as needed to carry out the purposes of this subchapter, including by entering into cooperative data sharing agreements in conformity with all laws and regulations applicable to the disclosure and use of data.

(2) Consultation with Indian tribes

The Director, acting jointly with the Assistant Secretary for Indian Affairs (acting through the Office of Justice Services) and the Director of the Federal Bureau of Investigation, shall work with Indian tribes and tribal law enforcement agencies to establish and implement such tribal data collection systems as the Director determines to be necessary to achieve the purposes of this section.

(e) Furnishing of information, data, or reports by Federal agencies

Federal agencies requested to furnish information, data, or reports pursuant to subsection (d)(1)(C) shall provide such information to the Bureau as is required to carry out the purposes of this section.

(f) Consultation with representatives of State, tribal, and local government and judiciary

In recommending standards for gathering justice statistics under this section, the Director shall consult with representatives of State, tribal, and local government, including, where appropriate, representatives of the judiciary.

(g) Reports

Not later than 1 year after July 29, 2010, and annually thereafter, the Director shall submit to Congress a report describing the data collected and analyzed under this section relating to crimes in Indian country.

(Pub. L. 90–351, title I, §302, as added Pub. L. 96–157, §2, Dec. 27, 1979, 93 Stat. 1176; amended Pub. L. 98–473, title II, §605(b), Oct. 12, 1984, 98 Stat. 2079; Pub. L. 100–690, title VI, §6092(a), Nov. 18, 1988, 102 Stat. 4339; Pub. L. 103–322, title XXXIII, §330001(h)(2), Sept. 13, 1994, 108 Stat. 2139; Pub. L. 109–162, title XI, §1115(a), Jan. 5, 2006, 119 Stat. 3103; Pub. L. 111–211, title II, §251(b), July 29, 2010, 124 Stat. 2297; Pub. L. 112–166, §2(h)(1), Aug. 10, 2012, 126 Stat. 1285.)

REFERENCES IN TEXT

This Act, referred to in subsecs. (b) and (c)(11), is Pub. L. 90–351, [June 19, 1968](#), 82 Stat. 197, known as the Omnibus Crime Control and Safe Streets Act of 1968. For complete classification of this Act to the Code, see Short Title of 1968 Act note set out under section 10101 of this title and Tables.

CODIFICATION

Section was formerly classified to section 3732 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 302 of Pub. L. 90–351, [title I, June 19, 1968](#), 82 Stat. 200; Pub. L. 93–83, [§2, Aug. 6, 1973](#), 87 Stat. 201; Pub. L. 94–503, [title I, §110, Oct. 15, 1976](#), 90 Stat. 2412, related to establishment of State planning agencies to develop comprehensive State plans for grants for law enforcement and criminal justice purposes, prior to the general amendment of this chapter by Pub. L. 96–157.

AMENDMENTS

2012—Subsec. (b). Pub. L. 112–166 struck out ", by and with the advice and consent of the Senate" before period at end of first sentence.

2010—Subsec. (c)(3) to (6). Pub. L. 111–211, §251(b)(1)(A), inserted "tribal," after "State," wherever appearing.

Subsec. (c)(7). Pub. L. 111–211, §251(b)(1)(B), inserted "and in Indian country" after "States".

Subsec. (c)(9). Pub. L. 111–211, §251(b)(1)(C), substituted "Federal Government and State and tribal governments" for "Federal and State Governments".

Subsec. (c)(10), (11). Pub. L. 111–211, §251(b)(1)(D), inserted ", tribal," after "State".

Subsec. (c)(13). Pub. L. 111–211, §251(b)(1)(E), inserted ", Indian tribes," after "States".

Subsec. (c)(17). Pub. L. 111–211, §251(b)(1)(F), substituted "activities at the Federal, State, tribal, and local" for "activities at the Federal, State and local" and "generated by Federal, State, tribal, and local" for "generated by Federal, State, and local".

Subsec. (c)(18). Pub. L. 111–211, §251(b)(1)(G), substituted "State, tribal, and local" for "State and local".

Subsec. (c)(19). Pub. L. 111–211, §251(b)(1)(H), inserted "and tribal" after "State" in two places.

Subsec. (c)(20). Pub. L. 111–211, §251(b)(1)(I), inserted ", tribal," after "State".

Subsec. (c)(22). Pub. L. 111–211, §251(b)(1)(J), inserted ", tribal," after "Federal".

Subsec. (d). Pub. L. 111–211, §251(b)(2), designated existing provisions as par. (1), inserted par. (1) heading, substituted "To ensure" for "To insure", redesignated former pars. (1) to (6) as subpars. (A) to (F), respectively, of par. (1), realigned margins, and added par. (2).

Subsec. (e). Pub. L. 111–211, §251(b)(3), substituted "subsection (d)(1)(C)" for "subsection (d)(3)".

Subsec. (f). Pub. L. 111–211, §251(b)(4)(B), inserted ", tribal," after "State".

Pub. L. 111–211, §251(b)(4)(A), which directed insertion of ", tribal," after "State" in heading, was executed editorially but could not be executed in original because heading had been editorially supplied.

Subsec. (g). Pub. L. 111–211, §251(b)(5), added subsec. (g).

2006—Subsec. (b). Pub. L. 109–162, §1115(a)(1), inserted after third sentence "The Director shall be responsible for the integrity of data and statistics and shall protect against improper or illegal use or disclosure."

Subsec. (c)(19). Pub. L. 109–162, §1115(a)(2), amended par. (19) generally. Prior to amendment, par. (19) read as follows: "provide for research and improvements in the accuracy, completeness, and inclusiveness of criminal history record information, information systems, arrest warrant, and stolen vehicle record information and information systems and support research concerning the accuracy, completeness, and inclusiveness of other criminal justice record information;".

Subsec. (d)(6). Pub. L. 109–162, §1115(a)(3), added par. (6).

1994—Subsec. (c)(19). Pub. L. 103–322 substituted a semicolon for period at end.

1988—Subsec. (c)(16) to (23). Pub. L. 100–690 added pars. (16) to (19) and redesignated former pars. (16) to (19) as (20) to (23), respectively.

1984—Subsec. (b). Pub. L. 98–473, §605(b)(1), inserted provision requiring Director to report to Attorney General through Assistant Attorney General.

Subsec. (c)(13). Pub. L. 98–473, §605(b)(2)(A), (C), added par. (13) and struck out former par. (13) relating to provision of financial and technical assistance to States and units of local government relating to collection, analysis, or dissemination of justice statistics.

Subsec. (c)(14), (15). Pub. L. 98–473, §605(b)(2)(C), added pars. (14) and (15). Former pars. (14) and (15) redesignated (16) and (17), respectively.

Subsec. (c)(16). Pub. L. 98–473, §605(b)(2)(A), (B), redesignated par. (14) as (16) and struck out former par. (16) relating to insuring conformance with security and privacy regulations issued under section 10231 of this title.

Subsec. (c)(17). Pub. L. 98–473, §605(b)(2)(B), redesignated par. (15) as (17). Former par. (17) redesignated (19).

Subsec. (c)(18). Pub. L. 98–473, §605(b)(2)(D), added par. (18).

Subsec. (c)(19). Pub. L. 98–473, §605(b)(2)(B), redesignated former par. (17) as (19).

Subsec. (d)(1). Pub. L. 98–473, §605(b)(3)(A), inserted ", and to enter into agreements with such agencies and instrumentalities for purposes of data collection and analysis".

Subsec. (d)(5). Pub. L. 98–473, §605(b)(3)(B)–(D), added par. (5).

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112–166 effective 60 days after Aug. 10, 2012, and applicable to appointments made on and after that effective date, including any nomination pending in the Senate on that date, see section 6(a) of Pub. L. 112–166, set out as a note under section 113 of Title 6, Domestic Security.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98–473 effective Oct. 12, 1984, see section 609AA(a) of Pub. L. 98–473, set out as an Effective Date note under section 10101 of this title.

CONSTRUCTION OF 2010 AMENDMENT

Pub. L. 111–211, [title II, §251\(c\)](#), [July 29, 2010](#), 124 Stat. 2298, provided that: "Nothing in this section [amending this section and section 41507 of this title] or any amendment made by this section—

"(1) allows the grant to be made to, or used by, an entity for law enforcement activities that the entity lacks jurisdiction to perform; or

"(2) has any effect other than to authorize, award, or deny a grant of funds to a federally recognized Indian tribe for the purposes described in the relevant grant program."

[For definition of "Indian tribe" as used in section 251(c) of Pub. L. 111–211, set out above, see section 203(a) of Pub. L. 111–211, set out as a note under section 2801 of Title 25, Indians.]

DATA COLLECTION

Pub. L. 115–391, [title VI, §610](#), [Dec. 21, 2018](#), 132 Stat. 5245, provided that:

"(a) NATIONAL PRISONER STATISTICS PROGRAM.—Beginning not later than 1 year after the date of enactment of this Act [Dec. 21, 2018], and annually thereafter, pursuant to the authority under section 302 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3732) [now 34 U.S.C. 10132], the Director of the Bureau of Justice Statistics, with information that shall be provided by the Director of the Bureau of Prisons, shall include in the National Prisoner Statistics Program the following:

"(1) The number of prisoners (as such term is defined in section 3635 of title 18, United States Code, as added by section 101(a) of this Act) who are veterans of the Armed Forces of the United States.

"(2) The number of prisoners who have been placed in solitary confinement at any time during the previous year.

"(3) The number of female prisoners known by the Bureau of Prisons to be pregnant, as well as the outcomes of such pregnancies, including information on pregnancies that result in live birth, stillbirth, miscarriage, abortion, ectopic pregnancy, maternal death, neonatal death, and preterm birth.

"(4) The number of prisoners who volunteered to participate in a substance abuse treatment program, and the number of prisoners who have participated in such a program.

"(5) The number of prisoners provided medication-assisted treatment with medication approved by the Food and Drug Administration while in custody in order to treat substance use disorder.

"(6) The number of prisoners who were receiving medication-assisted treatment with medication approved by the Food and Drug Administration prior to the commencement of their term of imprisonment.

"(7) The number of prisoners who are the parent or guardian of a minor child.

"(8) The number of prisoners who are single, married, or otherwise in a committed relationship.

"(9) The number of prisoners who have not achieved a GED, high school diploma, or equivalent prior to entering prison.

"(10) The number of prisoners who, during the previous year, received their GED or other equivalent certificate while incarcerated.

"(11) The numbers of prisoners for whom English is a second language.

"(12) The number of incidents, during the previous year, in which restraints were used on a female prisoner during pregnancy, labor, or postpartum recovery, as well as information relating to the type of restraints used, and the circumstances under which each incident occurred.

"(13) The vacancy rate for medical and healthcare staff positions, and average length of such a vacancy.

"(14) The number of facilities that operated, at any time during the previous year, without at least 1 clinical nurse, certified paramedic, or licensed physician on site.

"(15) The number of facilities that during the previous year were accredited by the American Correctional Association.

"(16) The number and type of recidivism reduction partnerships described in section 3621(h)(5) of title 18, United States Code, as added by section 102(a) of this Act, entered into by each facility.

"(17) The number of facilities with remote learning capabilities.

"(18) The number of facilities that offer prisoners video conferencing.

"(19) Any changes in costs related to legal phone calls and visits following implementation of section 3632(d)(1) of title 18, United States Code, as added by section 101(a) of this Act.

"(20) The number of aliens in prison during the previous year.

"(21) For each Bureau of Prisons facility, the total number of violations that resulted in reductions in rewards, incentives, or time credits, the number of such violations for each category of violation, and the demographic breakdown of the prisoners who have received such reductions.

"(22) The number of assaults on Bureau of Prisons staff by prisoners and the number of criminal prosecutions of prisoners for assaulting Bureau of Prisons staff.

"(23) The capacity of each recidivism reduction program and productive activity to accommodate eligible inmates at each Bureau of Prisons facility.

"(24) The number of volunteers who were certified to volunteer in a Bureau of Prisons facility, broken down by level (level I and level II), and by each Bureau of Prisons facility.

"(25) The number of prisoners enrolled in recidivism reduction programs and productive activities at each Bureau of Prisons facility, broken down by risk level and by program, and the number of those enrolled prisoners who successfully completed each program.

"(26) The breakdown of prisoners classified at each risk level by demographic characteristics, including age, sex, race, and the length of the sentence imposed.

"(b) REPORT TO JUDICIARY COMMITTEES.—Beginning not later than 1 year after the date of enactment of this Act [Dec. 21, 2018], and annually thereafter for a period of 7 years, the Director of the Bureau of Justice Statistics shall submit a report containing the information described in paragraphs (1) through (26) of subsection (a) to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives."

INCLUSION OF HONOR VIOLENCE IN NATIONAL CRIME VICTIMIZATION SURVEY

Pub. L. 113–235, div. B, title II, Dec. 16, 2014, 128 Stat. 2191, provided in part: "That beginning not later than 2 years after the date of enactment of this Act [div. B of Pub. L. 113–235, Dec. 16, 2014], as part of each National Crime Victimization Survey, the Attorney General shall include statistics relating to honor violence".

STUDY OF CRIMES AGAINST SENIORS

Pub. L. 106–534, §5, Nov. 22, 2000, 114 Stat. 2557, provided that:

"(a) IN GENERAL.—The Attorney General shall conduct a study relating to crimes against seniors, in order to assist in developing new strategies to prevent and otherwise reduce the incidence of those crimes.

"(b) ISSUES ADDRESSED.—The study conducted under this section shall include an analysis of—

"(1) the nature and type of crimes perpetrated against seniors, with special focus on—

"(A) the most common types of crimes that affect seniors;

"(B) the nature and extent of telemarketing, sweepstakes, and repair fraud against seniors;

and

"(C) the nature and extent of financial and material fraud targeted at seniors;

"(2) the risk factors associated with seniors who have been victimized;

"(3) the manner in which the Federal and State criminal justice systems respond to crimes against seniors;

"(4) the feasibility of States establishing and maintaining a centralized computer database on the incidence of crimes against seniors that will promote the uniform identification and reporting of such crimes;

"(5) the effectiveness of damage awards in court actions and other means by which seniors receive reimbursement and other damages after fraud has been established; and

"(6) other effective ways to prevent or reduce the occurrence of crimes against seniors."

INCLUSION OF SENIORS IN NATIONAL CRIME VICTIMIZATION SURVEY

Pub. L. 106–534, §6, Nov. 22, 2000, 114 Stat. 2557, provided that: "Beginning not later than 2 years after the date of enactment of this Act [Nov. 22, 2000], as part of each National Crime Victimization Survey, the Attorney General shall include statistics relating to—

"(1) crimes targeting or disproportionately affecting seniors;

"(2) crime risk factors for seniors, including the times and locations at which crimes victimizing seniors are most likely to occur; and

"(3) specific characteristics of the victims of crimes who are seniors, including age, gender, race or ethnicity, and socioeconomic status."

CRIME VICTIMS WITH DISABILITIES AWARENESS

Pub. L. 105–301, Oct. 27, 1998, 112 Stat. 2838, as amended by Pub. L. 106–402, title IV, §401(b)(10), Oct. 30, 2000, 114 Stat. 1739, provided that:

"SECTION 1. SHORT TITLE.

"This Act may be cited as the 'Crime Victims With Disabilities Awareness Act'.

"SEC. 2. FINDINGS; PURPOSES.

"(a) FINDINGS.—Congress finds that—

"(1) although research conducted abroad demonstrates that individuals with developmental disabilities are at a 4 to 10 times higher risk of becoming crime victims than those without disabilities,

there have been no significant studies on this subject conducted in the United States;

"(2) in fact, the National Crime Victim's Survey, conducted annually by the Bureau of Justice Statistics of the Department of Justice, does not specifically collect data relating to crimes against individuals with developmental disabilities;

"(3) studies in Canada, Australia, and Great Britain consistently show that victims with developmental disabilities suffer repeated victimization because so few of the crimes against them are reported, and even when they are, there is sometimes a reluctance by police, prosecutors, and judges to rely on the testimony of a disabled individual, making individuals with developmental disabilities a target for criminal predators;

"(4) research in the United States needs to be done to—

"(A) understand the nature and extent of crimes against individuals with developmental disabilities;

"(B) describe the manner in which the justice system responds to crimes against individuals with developmental disabilities; and

"(C) identify programs, policies, or laws that hold promises for making the justice system more responsive to crimes against individuals with developmental disabilities; and

"(5) the National Academy of Science Committee on Law and Justice of the National Research Council is a premier research institution with unique experience in developing seminal, multidisciplinary studies to establish a strong research base from which to make public policy.

"(b) PURPOSES.—The purposes of this Act are—

"(1) to increase public awareness of the plight of victims of crime who are individuals with developmental disabilities;

"(2) to collect data to measure the extent of the problem of crimes against individuals with developmental disabilities; and

"(3) to develop a basis to find new strategies to address the safety and justice needs of victims of crime who are individuals with developmental disabilities.

"SEC. 3. DEFINITION OF DEVELOPMENTAL DISABILITY.

"In this Act, the term 'developmental disability' has the meaning given the term in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 [42 U.S.C. 15002].

"SEC. 4. STUDY.

"(a) IN GENERAL.—The Attorney General shall conduct a study to increase knowledge and information about crimes against individuals with developmental disabilities that will be useful in developing new strategies to reduce the incidence of crimes against those individuals.

"(b) ISSUES ADDRESSED.—The study conducted under this section shall address such issues as—

"(1) the nature and extent of crimes against individuals with developmental disabilities;

"(2) the risk factors associated with victimization of individuals with developmental disabilities;

"(3) the manner in which the justice system responds to crimes against individuals with developmental disabilities; and

"(4) the means by which States may establish and maintain a centralized computer database on the incidence of crimes against individuals with disabilities within a State.

"(c) NATIONAL ACADEMY OF SCIENCES.—In carrying out this section, the Attorney General shall consider contracting with the Committee on Law and Justice of the National Research Council of the National Academy of Sciences to provide research for the study conducted under this section.

"(d) REPORT.—Not later than 18 months after the date of enactment of this Act [Oct. 27, 1998], the Attorney General shall submit to the Committees on the Judiciary of the Senate and the House of Representatives a report describing the results of the study conducted under this section.

"SEC. 5. NATIONAL CRIME VICTIM'S SURVEY.

"Not later than 2 years after the date of enactment of this Act, as part of each National Crime Victim's Survey, the Attorney General shall include statistics relating to—

"(1) the nature of crimes against individuals with developmental disabilities; and

"(2) the specific characteristics of the victims of those crimes."

§10133. Authority for 100 per centum grants

A grant authorized under this subchapter may be up to 100 per centum of the total cost of each project for which such grant is made. The Bureau shall require, whenever feasible as a condition of approval of a grant under this subchapter, that the recipient contribute money, facilities, or services to carry out the purposes for which the grant is sought.

(Pub. L. 90–351, title I, §303, as added Pub. L. 96–157, §2, Dec. 27, 1979, 93 Stat. 1178.)

CODIFICATION

Section was formerly classified to section 3733 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 303 of Pub. L. 90–351, title I, June 19, 1968, 82 Stat. 201; Pub. L. 91–644, title I, §4(5), (6), Jan. 2, 1971, 84 Stat. 1883; Pub. L. 93–83, §2, Aug. 6, 1973, 87 Stat. 201; Pub. L. 93–415, title V, §543, Sept. 7, 1974, 88 Stat. 1142; Pub. L. 94–503, title I, §111, Oct. 15, 1976, 90 Stat. 2413; Pub. L. 96–181, §15(b), Jan. 2, 1980, 93 Stat. 1316, set out requirements of State plans in order to qualify for grants for law enforcement and criminal justice purposes, prior to the general amendment of this chapter by Pub. L. 96–157.

§10134. Use of data

Data collected by the Bureau shall be used only for statistical or research purposes, and shall be gathered in a manner that precludes their use for law enforcement or any purpose relating to a private person or public agency other than statistical or research purposes.

(Pub. L. 90–351, title I, §304, formerly §305, as added Pub. L. 96–157, §2, Dec. 27, 1979, 93 Stat. 1179; renumbered §304, Pub. L. 98–473, title II, §605(d), Oct. 12, 1984, 98 Stat. 2080; amended Pub. L. 109–162, title XI, §1115(b), Jan. 5, 2006, 119 Stat. 3104.)

CODIFICATION

Section was formerly classified to section 3735 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 304 of Pub. L. 90–351, as added by Pub. L. 96–157, was classified to section 3734 of Title 42, The Public Health and Welfare, prior to repeal by Pub. L. 98–473, title II, §605(c), Oct. 12, 1984, 98 Stat. 2080.

AMENDMENTS

2006—Pub. L. 109–162 substituted "private person or public agency" for "particular individual".

Attachment 2. FIST 2019/2020 state agency survey form with new questions

OMB NO. 1121-0314: Approval Expires (_ / _ /20 _)

FORM FIST-1	U.S DEPARTMENT OF JUSTICE BUREAU OF JUSTICE STATISTICS (BJS) (REJIS ACTING AS DATA COLLECTION AGENT)	
<p>2019/2020 FIREARMS INQUIRY STATISTICS (FIST) Annual Survey of Background Checks for Firearm Transfers and Permits</p>		

Please correct any errors in the name and address information that is printed below.

OFFICIAL AGENCY NAME <i>(If different from above)</i>	
9-DIGIT NCIC-ORI NUMBER	
PERSON COMPLETING THE FORM	
NAME	TITLE
TELEPHONE	FAX
E-MAIL ADDRESS	
RETURN INSTRUCTIONS	
<ul style="list-style-type: none"> Please submit your completed form by using the web reporting option at rejis.org/FIST, mailing it to the Regional Justice Information Service (REJIS) in the enclosed postage paid envelope, or faxing each page to 1-314-535-1729. If you have any questions, comments, or feedback about the survey, please call the FIST project manager toll free at 1-800-531-2150, or send an e-mail to fist@rejis.org. Please retain a copy of your completed survey for 1 year. 	
Burden Statement	
<p>Federal agencies may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid OMB Control Number. Public reporting burden for this collection of information is estimated to average 25 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspects of this collection of information, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531. The Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 USC 3732), authorizes this information collection.</p>	
INSTRUCTIONS FOR COMPLETING THE FORM	
<ul style="list-style-type: none"> Please mark 'X' in the appropriate boxes. If possible, please answer all questions for the entire calendar years (January through December) 2019 & 2020. If data are available for only part of the year, please supply any available information in the spaces provided. If the answer to a question is "not available" or "unknown," write "DK" in the space provided. If the answer to a question is "not applicable," write "NA" in the space provided. If the answer to a question is "none" or "zero," write "0" in the space provided. <u>Please respond with zero only when the actual total reported count is zero, as opposed to when the data are not known or unavailable.</u> When an exact numeric response is not available, provide an estimate and mark the estimate box next to the number field. Please provide a brief explanation in Section II to describe how the estimates were calculated. Please do not leave any items blank unless otherwise directed. 	

Section I –APPLICATIONS AND DENIALS

How many Point of Transfer firearm applications were **recorded or retained** by your agency for the following periods: *(Please make an estimate if the exact counts of applications are not known.)*

1. Between January 1, **2020** and December 31, **2020**:

Mark 'x' if estimate

2020 Applications

1a. Between January 1, **2019** and December 31, **2019**:

Mark 'x' if estimate

2019 Applications

1b. How many of the **2020 Applications** were for:

Handguns

Long Guns

Both Handguns and Long Guns

1c. How many of the **2019 Applications** were for:

Handguns

Long Guns

Both Handguns and Long Guns

How many Point of Transfer firearm applications were **denied** during the following periods: (A denial occurs when an applicant is prohibited from receiving a firearm or permit that can be used to obtain a firearm because a disqualifying factor was found during a background check -- *Please make an estimate if the exact counts of denials are not known.*)

2. Between January 1, **2020** and December 31, **2020**:

Mark 'x' if estimate

2020 Denials

2a. Between January 1, **2019** and December 31, **2019**:

Mark 'x' if estimate

2019 Denials

2b. How many of the **2020 Denials** were for:

Handguns

Long Guns

Both Handguns and Long Guns

2c. How many of the **2019 Denials** were for:

Handguns

Long Guns

Both Handguns and Long Guns

3. Does your agency **record** the reason(s) why an application was denied? *(Please indicate "Yes" if your agency had zero denials in 2019 or 2020, but you would record the reason(s) for a denial if one were processed. Please also indicate "Yes" if you can provide estimates for reasons for denial.)*

Yes

No *(skip to question number 6)*

4. What is recorded for the reason(s) why an application was denied?

All reasons for denial are **recorded**

Only the first reason found during the background check is **recorded**

Only the most serious charge listed on the criminal history is **recorded**

Other method of **recording** *(Please explain below or in Comments section.)*

Don't know

5. For denials recorded in 2020, why was the application denied? List total counts (including zeros, where applicable) for each reason for a denial. Please include all federal, state, and local law reasons for denial within the most appropriate category.

Mark 'x' in the checkbox provided for any estimated counts.

	Transfers	Mark 'x' if estimate
a. Felony indictment or charge.....		<input type="checkbox"/>
b. Felony conviction.....		<input type="checkbox"/>
c. Felony arrest with no disposition.....		<input type="checkbox"/>
d. Fugitive or outstanding warrant.....		<input type="checkbox"/>
e. Domestic violence misdemeanor.....		<input type="checkbox"/>
f. Domestic violence, protective or restraining order.....		<input type="checkbox"/>
g. Addicted to or unlawful user of a controlled substance.....		<input type="checkbox"/>
h. Mental health commitment or adjudication.....		<input type="checkbox"/>
i. Illegal or unlawful alien.....		<input type="checkbox"/>
j. State law prohibitor (if not included in above categories).....		<input type="checkbox"/>
k. Local law prohibitor (if not included in above categories).....		<input type="checkbox"/>
l. Other reasons not included above (including juveniles and dishonorable discharge).....		<input type="checkbox"/>

5a. For denials recorded in 2019, why was the application denied? List total counts (including zeros, where applicable) for each reason for a denial. Please include all federal, state, and local law reasons for denial within the most appropriate category. Mark 'x' in the checkbox provided for any estimated counts.


Mark 'x' in the checkbox provided for any estimated counts.

	Transfers	Mark 'x' if estimate
a. Felony indictment or charge.....		<input type="checkbox"/>
b. Felony conviction.....		<input type="checkbox"/>
c. Felony arrest with no disposition.....		<input type="checkbox"/>
d. Fugitive or outstanding warrant.....		<input type="checkbox"/>
e. Domestic violence misdemeanor.....		<input type="checkbox"/>
f. Domestic violence, protective or restraining order.....		<input type="checkbox"/>
g. Addicted to or unlawful user of a controlled substance.....		<input type="checkbox"/>
h. Mental health commitment or adjudication.....		<input type="checkbox"/>
i. Illegal or unlawful alien.....		<input type="checkbox"/>
j. State law prohibitor (if not included in above categories).....		<input type="checkbox"/>
k. Local law prohibitor (if not included in above categories).....		<input type="checkbox"/>
l. Other reasons not included above (including juveniles and dishonorable discharge).....		<input type="checkbox"/>

(After answering this question, skip to question number 7)

**Attachment 3. FIST 2019/2020 local agency survey form
with screener question**

OMB NO. 1121-0314: Approval Expires (_ / _ /20_)

FORM FIST-1	U.S DEPARTMENT OF JUSTICE BUREAU OF JUSTICE STATISTICS (BJS) (REJIS ACTING AS DATA COLLECTION AGENT)	
<b style="color: red;">2019/2020 FIREARMS INQUIRY STATISTICS (FIST) Annual Survey of Background Checks for Firearm Transfers and Permits		

Please correct any errors in the name and address information that is printed below.

OFFICIAL AGENCY NAME <i>(If different from above)</i>	
9-DIGIT NCIC-ORI NUMBER	
PERSON COMPLETING THE FORM	
NAME	TITLE
TELEPHONE	FAX
E-MAIL ADDRESS	
<p><i>IMPORTANT – Please answer the following questions before proceeding with the questionnaire. Mark [X] in the appropriate box below.</i></p> <p>Did your agency record, process, or conduct background checks for firearm transfers or permits at any time between January 1, 2019, and December 31, 2020?</p> <p><input type="checkbox"/> Yes → If applicable, please list any other agencies for whom you conduct these activities:</p> <div style="border: 1px solid black; height: 20px; width: 100%; margin-bottom: 5px;"></div> <p style="text-align: center; font-size: small;">(Agency Name(s))</p> <p><input type="checkbox"/> No → The authorized permit recording, processing, or checking agency for your jurisdiction is:</p> <div style="border: 1px solid black; height: 20px; width: 100%; margin-bottom: 5px;"></div> <p style="text-align: center; font-size: small;">(Agency Name(s))</p> <p><i>If your response to the above question is “No” or if the following condition applies, you do not need to complete the questionnaire. Mark an [X] in the appropriate box below and return the survey using the instructions below.</i></p> <p><input type="checkbox"/> Agency no longer in existence</p> <p><input type="checkbox"/> Agency employed only part-time officers AND the total combined hours of work for these officers averaged less than 35 hours per week</p>	
RETURN INSTRUCTIONS	
<ul style="list-style-type: none"> Please submit your completed form by using the web reporting option at rejis.org/FIST, mailing it to the Regional Justice Information Service (REJIS) in the enclosed postage paid envelope, or faxing each page to 1-314-535-1729. If you have any questions, comments, or feedback about the survey, please call the FIST project manager toll free at 1-800-531-2150, or send an e-mail to fist@rejis.org. Please retain a copy of your completed survey for 1 year. 	
Burden Statement	
<p>Federal agencies may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid OMB Control Number. Public reporting burden for this collection of information is estimated to average 25 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspects of this collection of information, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531. The Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 USC 3732), authorizes this information collection.</p>	

INSTRUCTIONS FOR COMPLETING THE FORM

- Please mark 'X' in the appropriate boxes.
- If possible, please answer all questions for the entire calendar year (January through December) **2019 or 2020**. If data are available for only part of the year, please supply any available information in the spaces provided.
- If the answer to a question is "not available" or "unknown," write "DK" in the space provided.
- If the answer to a question is "not applicable," write "NA" in the space provided.
- If the answer to a question is "none" or "zero," write "0" in the space provided. Please respond with zero only when the actual total reported count is zero, as opposed to when the data are not known or unavailable.
- When an exact numeric response is not available, provide an estimate and mark the estimate box next to the number field. Please provide a brief explanation in Section II to describe how the estimates were calculated.
- Please do not leave any items blank unless otherwise directed.

Section I –APPLICATIONS AND DENIALS

How many applications for Purchase Permits (Transfer Permits) were recorded or retained by your agency for the following periods: *(Please make an estimate if the exact counts of applications are not known.)*

- 1. Between January 1, 2020 and December 31, 2020:**

Mark 'x' if estimate

2020 Applications

- 1a. Between January 1, 2019 and December 31, 2019:**

Mark 'x' if estimate

2019 Applications

How many applications for Purchase Permits (Transfer Permits) were denied during the following periods: (A denial occurs when an applicant is prohibited from receiving a firearm or permit that can be used to obtain a firearm because a disqualifying factor was found during a background check--*Please make an estimate if the exact counts of denials are not known.*)

- 2. Between January 1, 2020 and December 31, 2020:**

Mark 'x' if estimate

2020 Denials

- 2a. Between January 1, 2019 and December 31, 2019:**

Mark 'x' if estimate

2019 Denials

- 3. Does your agency record the reason(s) why an application was denied?** *(Please indicate "Yes" if your agency had zero denials in 2019 or 2020, but you would record the reason(s) for a denial if one were processed. Please also indicate "Yes" if you can provide estimates for reasons for denial.)*

Yes

No (*skip to question number 6*)

- 4. What is recorded for the reason(s) why an application was denied?**

All reasons for denial are recorded

Only the first reason found during the background check is recorded

Only the most serious charge listed on the criminal history is recorded

Other method of recording *(Please explain below or in Comments section.)*

Don't know

5. For denials recorded in 2020, why was the application denied? List total counts (*including zeros, where applicable*) for each reason for a denial. **Please include all federal, state, and local law reasons for denial within the most appropriate category.** Mark 'x' in the checkbox provided for any estimated counts.

2020 Reasons

	Permits	Mark 'x' if estimate
a. Felony indictment or charge.....		<input type="checkbox"/>
b. Felony conviction.....		<input type="checkbox"/>
c. Felony arrest with no disposition.....		<input type="checkbox"/>
d. Fugitive or outstanding warrant.....		<input type="checkbox"/>
e. Domestic violence misdemeanor.....		<input type="checkbox"/>
f. Domestic violence, protective or restraining order.....		<input type="checkbox"/>
g. Addicted to or unlawful user of a controlled substance.....		<input type="checkbox"/>
h. Mental health commitment or adjudication.....		<input type="checkbox"/>
i. Illegal or unlawful alien.....		<input type="checkbox"/>
j. State law prohibitor (<i>if not included in above categories</i>).....		<input type="checkbox"/>
k. Local law prohibitor (<i>if not included in above categories</i>).....		<input type="checkbox"/>
l. Other reasons not included above (<i>including juveniles and dishonorable discharge</i>).....		<input type="checkbox"/>

(After answering this question, skip to question number 7)

6. If possible, please estimate what proportion (percentage) of your agency's denials are made up of the following reasons:

Felony arrests, charges, and convictions _____

Domestic violence convictions and protective (restraining) orders _____

State law prohibitor (*if not included in above categories*) _____

Other reasons not included above (*including juveniles and dishonorable discharge*) _____


7. Do any of the counts you provided for any of the items throughout the survey cover only part of the year?

- Yes (*please specify below or in Comments section*):
 -Which counts cover only part of the year
 -The months that are covered

No

Attachment 4. Screen shots of FIST web survey template

OMB NO. 1121-0314: Approval Expires 06/30/2020



US DEPARTMENT OF JUSTICE
BUREAU OF JUSTICE STATISTICS
(REJIS ACTING AS DATA COLLECTION AGENT)

2018 FIREARMS INQUIRY STATISTICS (FIST)

Annual Survey of Background Checks for Firearm Transfers and Permits

Burden Statement

Federal agencies may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid OMB Control Number. Public reporting burden for this collection of information is estimated to average 25 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspects of this collection of information, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531. The Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 USC 3752), authorizes this information collection.

This Web site is funded through grants from the Bureau of Justice Statistics 2014-BJ-CX-K016, Office of Justice Programs, U.S. Department of Justice. Neither the U.S. Department of Justice nor any of its components operate, control, are responsible for, or necessarily endorse, this Web site (including, without limitation, its content, technical infrastructure, and policies, and any services or tools provided).

Welcome to the 2018 FIST Annual Survey. Please enter your User ID and Password below to enter the survey.

User ID

Password

If you have any questions, comments, or feedback about the survey, please call the FIST project manager toll free at 1-800-531-2150, or send an e-mail to fist@rejis.org.



OMB NO. 1121-0314: Approval Expires 06/30/2020



PERSON COMPLETING THE FORM

NAME

TELEPHONE

E-MAIL ADDRESS

TITLE

FAX

[Previous Screen](#)

[Save and Continue](#)

If you have any questions, comments, or feedback about the survey please call the FIST project manager toll free at 1-800-531-2150, or send an e-mail to fist@rejjs.org.

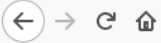


OMB NO. 1121-0314; Approval Expires 06/30/2020

**INSTRUCTIONS FOR COMPLETING THE FORM**

- If possible, please answer all questions for the entire calendar year (January through December) 2018. If data are available for only part of the year, please supply any available information in the spaces provided.
- If the answer to a question is "not available" or "unknown," write "DK" in the space provided. If the answer to a question is "not applicable," write "NA" in the space provided. If the answer to a question is "none" or "zero," enter "0" in the space provided. Please respond with zero only when the actual total reported count is zero, as opposed to when the data are not known or are unavailable. In cases where data are not known or are unavailable, please check applicable box.
- When an exact numeric response is not available, provide an estimate and mark the estimate box next to the number field. Please provide a brief explanation in Section II to describe how the estimates were calculated.
- Please do not use commas when entering numbers.
- Please do not leave any items blank unless otherwise directed.
- Please make sure you are connected to a printer when completing this survey as we recommend that you print a copy of your responses at the end of the survey and retain them for one year.
- Your responses will automatically be saved when you select the "Save and Continue" button.

Important: Do not click on the "Back" button on your web



Important: Do not click on the **Back** button on your web browser. Doing so will log you out and require you to re-enter the survey. Please use the **Previous Screen** and **Save and Continue** buttons at the bottom of your screen to go back to previous pages or advance the survey.

Burden Statement

Federal agencies may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid OMB Control Number. Public reporting burden for this collection of information is estimated to average 25 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspects of this collection of information, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531. The Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 USC 3732), authorizes this information collection.

Save and Continue

If you have any questions, comments, or feedback about the survey, please call the FIST project manager toll free at 1-800-531-2150, or send an e-mail to t1st@rejis.org.



OMB NO. 1121-0314: Approval Expires 06/30/2020



Section I - APPLICATIONS AND DENIALS

Between January 1, 2018, and December 31, 2018, how many applications for Carry Permits (Concealed Weapon Permits) were processed or tracked by your agency?

	Applications	Mark if estimate
Carry Permits (Concealed Weapon Permits)	<input type="text"/>	<input type="checkbox"/>

[Instructions for completing the web form](#)

[Previous Screen](#)

[Save and Continue](#)

If you have any questions, comments, or feedback about the survey please call the FIST project manager toll free at 1-800-531-2150, or send an e-mail to [frist@rejis.org](mailto:fist@rejis.org).



OMB NO. 1121-0314: Approval Expires 06/30/2020



Between January 1, 2018, and December 31, 2018, how many applications for Carry Permits (Concealed Weapon Permits) were denied? A denial occurs when an applicant is prohibited from receiving a firearm or permit that can be used to obtain a firearm because a disqualifying factor was found during a background check.

	Denials	Mark if estimate
Carry Permits (Concealed Weapon Permits)	<input type="text"/>	<input type="checkbox"/>

[Instructions for completing the web form](#)

[Previous Screen](#)

[Save and Continue](#)

If you have any questions, comments, or feedback about the survey please call the FIST project manager toll free at 1-800-331-2150, or send an e-mail to fist@rejis.org.



OMB NO. 1121-0314; Approval Expires 06/30/2020



For denials tracked in 2018, why was the application denied? List total counts (including zeros, where applicable) for each reason for a denial (please include all federal, state, and local law reasons for denial within the most appropriate category). Mark 'X' in the checkbox provided for any estimated counts.

	Count	Mark if estimate
a. Felony indictment or charge	<input type="text"/>	<input type="checkbox"/>
b. Felony conviction	<input type="text"/>	<input type="checkbox"/>
c. Felony arrest with no disposition	<input type="text"/>	<input type="checkbox"/>
d. Fugitive or outstanding warrant	<input type="text"/>	<input type="checkbox"/>
e. Domestic violence misdemeanor	<input type="text"/>	<input type="checkbox"/>
f. Domestic violence, protective or restraining order	<input type="text"/>	<input type="checkbox"/>
g. Addicted to or unlawful user of a controlled substance	<input type="text"/>	<input type="checkbox"/>
h. Mental health commitment or adjudication	<input type="text"/>	<input type="checkbox"/>
i. Illegal or unlawful alien	<input type="text"/>	<input type="checkbox"/>
j. State law prohibitor (if not included in above categories)	<input type="text"/>	<input type="checkbox"/>
k. Local law prohibitor (if not included in above categories)	<input type="text"/>	<input type="checkbox"/>
l. Other reasons not included above (including juveniles and dishonorable discharge)	<input type="text"/>	<input type="checkbox"/>

[Instructions for completing the web form](#)



OMB NO. 1121-0314: Approval Expires 06/30/2020



Thank you for your time and for completing the 2018 Firearms Inquiry Statistics (FIST) survey. Data provided by your agency and other background checking agencies from across the nation are essential to producing the 2018 national estimate of firearm applications and denials. The data obtained will be published in mid-2020 as part of the "Background Checks for Firearm Transfers" series on the BJS website (www.bjs.gov).

If you have any questions, comments, or feedback about the survey, please call the FIST project manager toll free at 1-800-531-2150, or send an e-mail to fist@rejis.org.

SUPPLEMENTARY INFORMATION: In accordance with the PRA and 5 CFR 1320.8(d)(1), we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of information was published on October 15, 2020 (85 FR 65422). No comments were received.

As part of our continuing effort to reduce paperwork and respondent burdens, we are again soliciting comments from the public and other Federal agencies on the proposed ICR that is described below. We are especially interested in public comment addressing the following:

- (1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;
- (2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;
- (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and
- (4) How might the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of response.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: The information is being collected to ensure that the applicants for blaster certification are qualified. This information, with blasting tests,

will be used to determine the eligibility of the applicant.

Title of Collection: Certification of blasters in Federal program states and on Indian lands.

OMB Control Number: 1029–0083.

Form Number: OSM–74.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Individuals.

Total Estimated Number of Annual Respondents: 18.

Total Estimated Number of Annual Responses: 18.

Estimated Completion Time per Response: 1 hour.

Total Estimated Number of Annual Burden Hours: 18.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: One time.

Total Estimated Annual Nonhour Burden Cost: \$1,370.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Mark J. Gehlhar,

*Information Collection Clearance Officer,
Division of Regulatory Support.*

[FR Doc. 2021–00873 Filed 1–14–21; 8:45 am]

BILLING CODE 4310–05–P

DEPARTMENT OF JUSTICE

[OMB Number 1121–0314]

Agency Information Collection Activities: Proposed Collection; Comments Requested; Resinstatement of a Previously Approved Collection: Firearm Inquiry Statistics (FIST) Program

AGENCY: Bureau of Justice Statistics, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Statistics, will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until March 16, 2021. If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection

instrument with instructions or additional information, please contact Connor Brooks, Statistician, Law Enforcement Statistics Unit, Bureau of Justice Statistics, 810 Seventh Street NW, Washington, DC 20531 (email: Connor.Brooks@usdoj.gov; phone: 202–514–8633).

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Reinstatement of the Firearm Inquiry Statistics Program.

(2) *The Title of the Form/Collection:* 2019–2021 Firearm Inquiry Statistics Program.

(3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* The form number is FIST–1. The applicable component within the Department of Justice is the Bureau of Justice Statistics, Office of Justice Programs.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Through the Firearm Inquiry Statistics (FIST) Program, the Bureau of Justice Statistics (BJS) obtains information from state and local checking agencies responsible for maintaining records on the number of background checks for firearm transfers or permits that were issued, processed, tracked, or conducted during the calendar year. Specifically, state and

local checking agencies are asked to provide information on the number of applications and denials for firearm transfers received or tracked by the agency and reasons why applications were denied. BJS combines these data with the Federal Bureau of Investigation's (FBI) National Instant Criminal Background Check System (NICS) transaction data to produce comprehensive national statistics on firearm applications and denials resulting from the Brady Handgun Violence Prevention Act of 1993 and similar state laws governing background checks and firearm transfers. BJS also plans to collect information from the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) on denials screened and referred to ATF field offices for investigation and possible prosecution. BJS publishes FIST data on the BJS website in statistical tables and uses the information to respond to inquiries from Congress, federal, state, and local government officials, researchers, students, the media, and other members of the general public interested in criminal justice statistics.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* A projected 1,091 respondents will take part in the FIST data collection with an average of 25 minutes for each to complete the FIST survey form.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated public burden hours associated with this collection is 455 hours annually.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.

Dated: January 12, 2021.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2021-00929 Filed 1-14-21; 8:45 am]

BILLING CODE 4410-18-P

DEPARTMENT OF LABOR

[Docket No. DOL-2021-0001]

Guidance Regarding Department of Labor Grants

AGENCY: Office of the Assistant Secretary for Administration & Management, Department of Labor.

ACTION: Notice.

SUMMARY: The Department of Labor publishes its “Guidance Regarding Department of Labor Grants” detailing the general rules regarding equal protection of faith-based organizations that govern the Department’s grant and financial assistance programs. This guidance is issued pursuant to Executive Order 13798, titled “Promoting Free Speech and Religious Liberty,” signed by the President on May 4, 2017, and the related Office of Management and Budget guidance issued on January 16, 2020. This guidance also reflects changes to the Department’s regulations recently made through the inter-agency rulemaking, “Equal Participation of Faith-Based Organizations in the Federal Agencies’ Programs and Activities,” published on December 17, 2020.

FOR FURTHER INFORMATION CONTACT: Carl Campbell, Office of the Senior Procurement Executive, Office of the Assistant Secretary for Administration and Management. Telephone: 1-202-693-7246. TTY/TDD callers may dial toll-free 1-800-877-8339 for further information.

SUPPLEMENTARY INFORMATION: The Department publishes this guidance to protect religious liberty in the administration of its grant and financial assistance programs, in compliance with Federal law. The guidance details the ways in which the Department’s specific regulations protect the religious freedom of faith-based organizations that participate in these programs, and describes the process by which faith-based organizations can seek exemptions from religious non-discrimination requirements in their employment practices. The guidance is provided in the Appendix of this notice.

Bryan Slater,
Assistant Secretary for Administration and Management, Department of Labor.

Appendix—Guidance Regarding Department of Labor Grants 1

I. Purpose and Background

On May 4, 2017, the President signed Executive Order 13798, titled “Promoting Free Speech and Religious Liberty.”² Among other things, Executive Order 13798 establishes a policy of promoting religious liberty and directed the Attorney General to provide guidance to Federal agencies on the requirements of Federal laws and policies

¹ Other than the statutory and regulatory requirements included in the document, the contents of this guidance do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

² Exec. Order No. 13798, 82 FR 21,675 (May 4, 2017).

protecting religious liberty. Accordingly, on October 6, 2017, the Attorney General issued a memorandum advising agencies on such laws and policies, including how they apply to the award of grants (Attorney General Memorandum).³ Subsequently, the Office of Management and Budget (OMB) issued its own guidance on January 16, 2020 (OMB Memorandum), directing all grant-administering agencies “within 120 days of the date of this Memorandum . . . [to] publish policies detailing how they will administer Federal grants in compliance with E.O. 13798, the Attorney General memorandum, and this Memorandum.”⁴

The OMB and Attorney General Memoranda make clear that Federal law entitles religious organizations to compete on equal footing with secular organizations for Federal financial assistance.⁵ In line with these principles, the Department of Labor (DOL or Department) is committed to ensuring that DOL-supported social service programs are open to all qualified organizations, regardless of the organizations’ religious character. In particular, any grant rule or policy that penalizes or disqualifies a religious organization from the right to compete for a grant or contract because of that organization’s religious character could violate the Free Exercise Clause of the First Amendment to the Constitution, or governing DOL regulations. A rule or policy that imposes a substantial burden on an organization’s exercise of religion may also, depending on the circumstances, violate the Religious Freedom Restoration Act (RFRA).

To ensure that all organizations are treated equally in the issuance of awards and sub-awards of Department grant funds, and that Federal law’s protections for religious liberty are faithfully adhered to, the Department is issuing this guidance. The sections that follow detail the general rules regarding equal protection of faith-based organizations that govern DOL grant programs, and the process by which faith-based organizations can seek exemptions from religious non-discrimination requirements in their employment practices.

II. Equal Treatment in Department of Labor Programs for Faith-Based Organizations

a. Equal Participation of Faith-Based Organizations

Faith-based organizations are eligible, on the same basis as any other organization, to seek DOL support or participate in DOL programs for which they are otherwise eligible. DOL and DOL social service intermediary providers, as well as State and local governments administering DOL support, must not discriminate for or against an organization on the basis of the organization’s religious character, affiliation,

³ Office of Att’y Gen., *Federal Law Protections for Religious Liberty*, Memorandum for All Executive Departments and Agencies (Oct. 6, 2017).

⁴ Office of Mgmt. & Budget, Exec. Office of the President, M-20-09, *Guidance Regarding Federal Grants and Executive Order 13798* (Jan. 16, 2020).

⁵ In addition, the Supreme Court recently reaffirmed that the Constitution guarantees the full participation of faith-based organizations in publicly funded programs. See *Espinoza v. Montana Dep’t of Revenue*, 140 S.Ct. 2246 (2020).

Attachment 6. Public comments received in response to 60-day notice

Thank you for the opportunity to provide public comments on the Bureau of Justice Statistics, Department of Justice proposed reinstatement of the Firearm Inquiry (FIST) Program. A call for comments was published in the *Federal Register* on January 15, 2021.

Developing and implementing a data-driven federal government in which rigorous evidence informs solutions to our nation's most pressing health and safety challenges is critical. Nowhere is that data foundation more needed than in the realm of firearms violence. Reliable data is a much needed bridge to effective policy-making that can reduce the number of firearm accidents, suicides, homicides, and assaults.

Arnold Ventures, a philanthropic organization dedicated to maximizing opportunity and minimizing injustice, and NORC at University of Chicago, an objective non-partisan research institution, are committed to supporting and informing efforts to ensure data driven decisions and rigorous evidence serve as the underpinning of the nation's health and safety challenges. Reliable data are a critical bridge to effective policy making that can reduce the number of firearm accidents, suicides, homicides, and assaults. To that end, Arnold Ventures and NORC convened a panel of experts on public health and firearms violence. Launched in the summer of 2019, this expert panel on Firearms Data Infrastructure included distinguished academics, government leaders, and trailblazing practitioners whose charge was to create a blueprint for a better firearms data infrastructure to be implemented in both the short- and long-term.

The NORC expert panel issued [recommendations](#) that address several key problems: Firearms data are often difficult to access; collections are narrow in scope; public release of data can lag by years; and, few datasets and systems can be integrated. Firearms data often cannot be accessed because of policy restrictions. Some firearms data are simply not collected. Other firearms data can be accessed and do have valuable data but need a slight change in order to accurately identify cases. As a result of these compounding barriers to accessible and accurate data, the number of critical research questions that can be asked and answered is severely constrained. As a result, important opportunities to improve community safety are missed. The most direct path to improving the U.S. firearms data infrastructure is to reinstate discontinued data collections that will fill critical gaps in our knowledge base.

The data collection program being considered for reinstatement is the FIST program. The FIST collects information on firearm applications and denials, and combines this information with the FBI's National Instant Criminal Background Check System (NICS) transaction data to produce an estimated number of background checks for firearm transfers or permits. This program has been in effect since the implementation of the Brady Act in 1994.

First, the reinstatement of the FIST program will have practical utility for researchers. The FIST program is a critical link for researchers evaluating the success or failure of current laws and practices in protecting community safety. Despite the obvious need for accurate data on firearms ownership, use, and storage to inform effective public health strategies, there is no official data on firearms ownership. The proposed reinstatement of FIST is one step toward the creation of a data infrastructure that can meaningfully inform policymaking. After all, the

program is one of the very few federal data sources that even allow for basic estimates of firearm ownership — a necessary statistic for examining the effect of gun laws and practices.

Second, a revitalized FIST program could easily be enhanced to include collection of other critical data filling a gap in the current information that is impeding the effective use of data for policy making. For example, FIST could collect information on how often firearms are transferred without a passed background check due to checks not being completed within the time allowed. FIST could also track the proportion of these transfers that were later determined to involve a prohibited possessor, and the proportion of these where firearms were later recovered from the prohibited purchaser.

It should be noted that to produce estimates on the number of background checks for firearm transfers or permits the FIST program also relies upon the National Instant Criminal Background Check System (NICS). The NICS determines whether a sale can proceed or is rejected — inaccuracies and limitations in NICS create inaccurate reporting in FIST, and thus the FIST program's success is closely tied to NICS. In February 2013, the National Consortium for Justice Information and Statistics (SEARCH) [released a report](#) describing how almost all of the data in NICS that determines if an individual is ineligible to purchase a firearm are drawn from state data collections that suffer from substantial gaps in information. The NORC expert panel recommends, and we agree, that an audit should be conducted to determine precisely how much legally required information does and does not flow into the NICS. That audit should document specific barriers and provide recommendations for remediating those barriers, including an estimate of the financial investment required for the database to comply with the legal obligations in the authorizing law, the Brady Act. The expert panel further recommends that the audit is conducted annually to ensure sustainable compliance as incomplete data ensures that at least some dangerous individuals can legally purchase a weapon. These data gaps are a threat to community safety and instrumental to the FIST program.

While there are limitations in the U.S. federal system of data for understanding firearms violence, reinstating the FIST program is a step in the right direction as improvements to firearms data infrastructure can help researchers and policy makers answer fundamental questions on the effect of firearms laws and practices.

We appreciate the opportunity to comment on this proposed data collection effort.

Asheley Van Ness, Director of Criminal Justice, Arnold Ventures

John K. Roman, Ph.D. is a senior fellow in the Economics, Justice and Society Group at NORC at the University of Chicago.



Rob Fairweather
Acting Director
The Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

The Honorable Maureen Henneberg
Acting Assistant Attorney General
U.S. Department of Justice, OJP
810 Seventh Street, NW
Washington, DC 20531

Jeffrey Anderson
Director
Bureau of Justice Statistics
810 Seventh Street, NW
Washington, DC 20531

March 15, 2021

Re: “Agency Information Collection Activities: Proposed Collection; Comments Requested; Reinstatement of a Previously Approved Collection: Firearm Inquiry Statistics (FIST) Program,” 86 Fed. Reg. 4125 (January 1, 2021)

Dear Director Fairweather, Assistant Attorney General Henneberg, and Director Anderson,

Brady writes to support the reinstatement of the Firearm Inquiry Statistics Program (FIST).

Under 42 U.S.C. § 3731, the Bureau of Justice Statistics (BJS) is authorized to collect and publish “statistical information concerning crime, juvenile delinquency, and the operation of the criminal justice system and related aspects of the civil justice system” for research and statistical purposes, giving “primary emphasis to the problems of state and local justice systems.”

BJS began the FIST Program in 1995 as a means to produce comprehensive annual national statistics on firearm application and denial activities pursuant to the Brady Handgun Violence Prevention Act of 1993 (the Brady Act) (Pub. L. No. 103-159, 107 Stat. 1536 (1993), codified as amended at 18 U.S.C. § 921 et seq.) and similar state laws. The FIST program collects counts of background checks for firearm transfers and carry permits conducted by state and local agencies and combines this information with the Federal Bureau of Investigation’s (FBI)

National Instant Criminal Background Check System (NICS) transaction data to produce national estimates of background check activity.

BJS also obtains information on reasons why firearm applications are denied and receives information from Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) Denial Enforcement and NICS Intelligence (DENI) Branch on FBI denials screened and referred to ATF field offices for investigation and possible prosecution. Further, the FIST survey includes questions about how agencies track reasons for denial and on agency needs related to improved data tracking capabilities.

The FIST Program data collection is authorized in order to implement the Brady Act and the National Criminal History Improvement Program (NCHIP) and NICS Act Record Improvement Program (NARIP). The NARIP implements the grant provisions of the NICS Improvement Amendments Act (NIAA) of 2007 (Pub. L. No. 110-180) (18 U.S.C. § 922 note).

I. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility

The FIST Program creates a unique data set that reflects applications for firearms transfers and permits to *both* federal and state background check systems, producing a national estimate of the number of firearm applications received and denied annually. In addition, the FIST program collects the reasons for the transfer or permit denial.

Application and denial data allow researchers and policymakers to better understand how federal gun policies work to prevent prohibited purchasers from obtaining and carrying firearms. In addition to understanding how many people have been blocked from buying a gun after failing background checks, and how those rates have shifted over time, information about the reasons for denials is valuable for policymakers, especially as it relates to state-level prohibitors.

Understanding whether the denials stem from state or federal prohibitors—and what that prohibitor is—is imperative in determining whether new state laws are effective in preventing someone who could pose a danger to his or herself or others from obtaining a firearm. It is useful for policymakers to understand the reasons for NICS denials, especially because various state laws have created additional categories of prohibited firearm purchasers. Further, this information can provide evidence of the need for increased reporting from state and local agencies to ensure that information is adequately and efficiently entered into the NICS. For example, when Connecticut began reporting individuals with gun-disqualifying mental health records to the NICS system (mental health adjudications), the number of violent crimes committed by these individuals decreased by 50%.¹ Cross-checking that information with

¹ Jeffrey W. Swanson et al., *Preventing Gun Violence Involving People with Serious Mental Illness*, in REDUCING GUN VIOLENCE IN AMERICA: INFORMING POLICY WITH EVIDENCE AND ANALYSIS 33, 33–51 (Daniel W. Webster & Jon S. Vernick, eds., 2013).

increased rates of state denials in Connecticut due to prohibitive adjudications can provide substantial evidence that the increased reporting as a result of the new law is preventing at-risk individuals from obtaining weapons. This information can be crucial to lawmakers attempting to ensure public safety.

The reinstated collection of information will further the proper performance of the BJS's functions by providing accurate data, and have practical utility in making our communities safer.

II. Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced

The FIST Program started collecting information on the reasons for denials at points of transfer with the 2016 administration of the survey. The FIST Program also collects information from the FBI and ATF as to the denials referred to ATF field offices for investigation and possible prosecution. While accurate data about prosecutions of people who lie to acquire guns is important, Brady recommends the FIST Program should *also* acquire and report data on the gun dealers who knowingly or willfully facilitate such sales, and whether these dealers have been referred for investigation and possible prosecution.

According to the most recently available national data, the retail gun dealers responsible for selling the majority of crime guns are a fraction of the total gun industry: about 90% of guns recovered by law enforcement are traced back to just 5% of federally licensed firearms dealers.² However, the federal government's regulatory oversight of these dealers is severely limited. In Fiscal Year 2019, federal agents inspected only 13,079 of the more than 130,000 federal firearms licensees (FFLs) in the United States.³ Nearly half of the inspected FFLs were cited for violating the law, yet ATF revoked the licenses of less than 0.5% of dealers that were actually inspected (and less than .05% of all FFLs).⁴

Unfortunately, there is not a nationwide data set to analyze with regard to federal criminal prosecutions of dealers. With greater data transparency on dealer referrals and prosecutions, researchers and policymakers would be able to analyze patterns of dealer misconduct across states and measure the impact of dealer referrals and prosecutions on gun trafficking and other practices that divert firearms into the illegal market. The FIST Program is uniquely situated to collect data on dealer referrals and prosecutions as part of the existing process of data collection of purchaser denials referred by ATF and/or the FBI to prosecutors. As ATF finalizes its transition from the obsolete ATF National Field Office Case Information System (NFOCIS) to the new Spartan Case Management System, it is an ideal time for the FIST Program to request more data on law enforcement actions.

² ATF, *Commerce in Firearms in the United States* (Feb. 2000).

³ Approximately 74,000 of all FFLs are licensed gun dealers, pawnshops, and manufacturers.

⁴ See, e.g., ATF, *Fact Sheet - Facts and Figures for Fiscal Year 2019*, available at <https://www.atf.gov/resource-center/fact-sheet/fact-sheet-facts-and-figures-fiscal-year-2019>.

In light of all of this, Brady encourages BJS to consider enhancing the FIST Program to include data concerning gun dealer referrals and prosecution.

Finally, the overall utility of the FIST Program data would be greatly strengthened with more timely reporting of findings. As of February 24, 2021, the most current data available are 2017 survey results. In addition, 2019 data has yet to be collected and will be released simultaneously with 2020 data. Brady asks that BJS prioritize the timely collection and release of data, so that state and federal policymakers can make informed decisions with current information.

Please contact Joshua Scharff, Legal Counsel, Brady at jscharff@bradyunited.org or 202-370-8105 with any questions about this comment.

Sincerely,
Joshua Scharf
Legal Counsel and Director, Programs
Brady

cc: Connor Brooks, Statistician, Bureau of Justice Statistics

complete the summary form; and each incident form (an estimated 3,000 incident forms will be completed each year, one for each incident that was substantiated) will take about 30 minutes. The burden estimates are based on data from the prior administration of the SSV.

(6) *An estimate of the total public burden (in hours) associated with the collection:* There is an estimated 2,342 total burden hours per year associated with this collection, with a combined total of 7,026 for the three years.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.

Dated: April 21, 2021.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2021-08588 Filed 4-23-21; 8:45 am]

BILLING CODE 4410-18-P

DEPARTMENT OF JUSTICE

Office of Justice Programs

[OMB Number 1121-0314]

Agency Information Collection Activities: Proposed Collection; Comments Requested; Reinstatement of a Previously Approved Collection: Firearm Inquiry Statistics (FIST) Program

AGENCY: Bureau of Justice Statistics, Office of Justice Programs, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The Bureau of Justice Statistics (BJS), Office of Justice Programs, Department of Justice (DOJ), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection was previously published in the **Federal Register**. BJS received one comment in response. The comment supported reinstatement of the FIST collection. It also suggested that FIST could collect information on how often firearms are transferred without a passed background check due to checks not being completed in the allowable time. However, information on this may be found in NICS Operations Reports. The comment also suggested a study of NICS data flow that is outside the scope

of the immediate FIST project but would affect the data FIST collects from various sources.

DATES: Comments are encouraged and will be accepted for 30 days until May 26, 2021.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;
- Evaluate the accuracy of the agency’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Reinstatement of a previously approved information collection for which approval has expired.

(2) *The Title of the Form/Collection:* 2019–2022 Firearm Inquiry Statistics Program.

(3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* The form number is FIST–1. The applicable component within the Department of Justice is the Bureau of Justice Statistics, Office of Justice Programs.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Through the Firearm Inquiry

Statistics (FIST) Program, the Bureau of Justice Statistics (BJS) obtains information from state and local checking agencies responsible for maintaining records on the number of background checks for firearm transfers or permits that were issued, processed, tracked, or conducted during the calendar year. Specifically, state and local checking agencies are asked to provide information on the number of applications and denials for firearm transfers received or tracked by the agency and reasons why applications were denied. BJS combines these data with the Federal Bureau of Investigation’s (FBI) National Instant Criminal Background Check System (NICS) transaction data to produce comprehensive national statistics on firearm applications and denials resulting from the Brady Handgun Violence Prevention Act of 1993 and similar state laws governing background checks and firearm transfers. BJS also plans to collect information from the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) on denials screened and referred to ATF field offices for investigation and possible prosecution. BJS publishes FIST data on the BJS website in statistical tables and uses the information to respond to inquiries from Congress, federal, state, and local government officials, researchers, students, the media, and other members of the general public interested in criminal justice statistics.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* A projected 1,073 respondents will take part in the 2019/2020 FIST data collection with an average of 30 minutes for each to complete the FIST survey form. A projected 1,006 respondents will take part in the 2021 and 2022 data collections with an average of 25 minutes for each to complete the FIST survey form.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated public burden hours associated with this collection is 537 hours for the 2019/2020 data collection and 419 hours annually for the 2021 and 2022 data collections.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.

Dated: April 21, 2021.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2021-08587 Filed 4-23-21; 8:45 am]

BILLING CODE 4410-18-P

DEPARTMENT OF JUSTICE

Office of Justice Programs

[OMB Number 1121-0317]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Reinstatement, With Change, of a Previously Approved Collection for Which Approval has Expired: 2021 Identity Theft Supplement (ITS)

AGENCY: Bureau of Justice Statistics, Office of Justice Programs, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The Bureau of Justice Statistics, Office of Justice Programs, Department of Justice (DOJ), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection was previously published in the **Federal Register**. Following publication of the 60-day notice, the Bureau of Justice Statistics received no requests for the survey instrument and two communications containing suggestions for revisions to the collection of data and regarding the administration of the instrument, which are addressed in Supporting Statement Part A.

DATES: Comments are encouraged and will be accepted for 30 days until May 26, 2021.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Erika Harrell, Statistician, Bureau of Justice Statistics, 810 Seventh Street NW, Washington, DC 20531 (email: Erika.Harrell@usdoj.gov; telephone: 202-307-0758).

SUPPLEMENTARY INFORMATION: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting

“Currently under 30-day Review—Open for Public Comments” or by using the search function. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;
- Evaluate the accuracy of the agency’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Reinstatement of the Identity Theft Supplement, with changes, a previously approved collection for which approval has expired.

(2) *The Title of the Form/Collection:* 2021 Identity Theft Supplement.

(3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* The form number for the questionnaire is ITS-1. The applicable component within the Department of Justice is the Bureau of Justice Statistics, in the Office of Justice Programs.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Respondents will be persons 16 years or older living in households located throughout the United States sampled for the National Crime Victimization Survey (NCVS). The ITS will be conducted as a supplement to the NCVS in all sample households for a six (6) month period. The ITS is primarily an effort to measure the prevalence of identity theft among persons, the characteristics of identity theft victims, and patterns of reporting to the police, credit bureaus, and other authorities. The ITS was also designed to collect important characteristics of identity theft such as how the victim’s personal information was obtained; the physical, emotional and financial impact on victims; offender information;

and the measures people take to avoid or minimize their risk of becoming an identity theft victim. BJS plans to publish this information in reports and reference it when responding to queries from the U.S. Congress, Executive Office of the President, the U.S. Supreme Court, state officials, international organizations, researchers, students, the media, and others interested in criminal justice statistics.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimate of the total number of respondents is 104,910. An estimated 90.2% of respondents (94,630) are estimated to report no identity theft and will complete the ITS screener and follow-up questions with an average burden of about eight minutes. Among the 9.8% of respondents (10,280) who are expected to experience at least one incident of identity theft during the reference period, the time to ask the screener, incident, and follow-up questions of identity theft is estimated to take an average of fifteen minutes. Respondents will be asked to respond to this survey only once during the six-month period. The burden estimate is based on data from actual interview times from the 2018 ITS, an analysis of the 2021 ITS questionnaire changes and mock interviews done with the 2021 questionnaire.

(6) *An estimate of the total public burden (in hours) associated with the collection:* There are an estimated 15,185 total burden hours associated with this collection.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.

Dated: April 21, 2021.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2021-08584 Filed 4-23-21; 8:45 am]

BILLING CODE 4410-18-P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: (21-026)]

Notice of Intent To Grant an Exclusive, Co-Exclusive or Partially Exclusive Patent License

AGENCY: National Aeronautics and Space Administration.

Attachment 8. FIST 2019/2020 Project Schedule

Task #	Task	Start Date	End Date
2	Assess and Revise Survey Instrument		
2.1	Review new federal, state, and D.C. legislation and any ATF decisions for possible impact on current survey instrument (See also 3.1.1) and tailor forms accordingly	FEB (21)	MAR (21)
2.1.1	Obtain feedback about instrument from BJS; make necessary adjustments before final approval	FEB (21)	APR (21)
2.1.2	Paper form printing following BJS final approval	APR (21)	APR (21)
2.2	Maintain Web survey portal. Update web-based form to match, as closely as possible, the paper form. Test instrument and make necessary revisions.	FEB (21)	APR (21)
2.2.1	Obtain feedback from BJS and make necessary adjustments prior to final approval of Web form	MAR (21)	APR (21)
3	Universe and Frame Development		
3.1	Review, update, and maintain FIST Universe	FEB (21)	MAR (21)
3.1.1	Review new legislation and ATF decisions (see 2.1) for any changes that affect the universe of checking agencies	FEB (21)	MAR (21)
3.1.2	Review FBI & ATF websites for updates to NICS system	FEB (21)	MAR (21)
3.1.3	Review most recent survey frame and other possible DOJ sources for frame validation	FEB (21)	MAR (21)
3.1.4	Maintenance of FIST Universe using updates to frame and info gathered from current data collection	ONGOING	
3.2	Strategy for data collection and sample redraw	MAR (21)	APR (21)
3.2.1	Review strategy for data collection and sample redraw with BJS, check for publicly available state data, include state agencies without publicly available data in survey	MAR (21)	APR (21)
3.2.2	Redraw local agency sample to achieve state level estimates (according to current research design)	MAR (21)	APR (21)
3.2.3	Collect publicly available POC data and internal reports while performing task 3.2.1 and translate into FIST categories	MAR (21)	JUN (21)
3.3	Estimation and weighting	MAR (21)	APR (21)
3.3.1	Design weights construction based on sample draw	MAR (21)	APR (21)
4	OMB Clearance		
4.1	Provide materials as needed by BJS for OMB clearance for FIST data collection	JAN (21)	FEB (21)

Task #	Task	Start Date	End Date
5	Survey Administration and Data Collection Procedures		
5.1	Provide survey protocols, data processing, quality control procedures and administration (protocols established in project schedule, will account for any changes experienced in prior year's collection)	FEB (21)	OCT (21)
5.2	Respondent outreach and communication program	MAY (21)	OCT (21)
5.2.1	Follow-up strategy to maximize response rates; use tailored design method with multimode follow-up where contact with	MAY (21)	OCT (21)
5.2.2	Preparation and mailing of survey pre-notice	MAY (21)	MAY (21)
5.2.3	Preparation and mailing of survey packet. Includes email and faxes to state agencies where appropriate	MAY (21)	MAY (21)
5.2.4	Thank you/reminder post card preparation and mailing	JUN (21)	JUN (21)
5.2.5	Preparation and mailing of second survey to nonrespondents	JUN (21)	JUN (21)
5.2.6	Final contact: phone follow-up with nonrespondents	JUL (21)	AUG (21)
5.2.7	Update state and local agencies' contact information	MAY (21)	OCT (21)
5.2.8	Continue any outstanding follow up until collection closeout	AUG (21)	OCT (21)
5.3	Obtain FBI NICS federal data and ATF DENI Branch data	JAN (21)	JUN (21)
6	Final Verification and Dataset		
6.1	Final verification procedures	AUG (21)	JAN (22)
6.1.1	Verification of POC publicly available and internal report data	AUG (21)	SEP (21)
6.1.2	Double data entry for paper surveys; clean data and arrange for analysis	SEP (21)	OCT (21)
6.1.3	Analyze & interpret state and local data; create national estimate from all levels of data	NOV (21)	JAN (22)
6.1.4	Non-response adjustments to account for out of scope agencies and non-response among agencies	JAN (22)	JAN (22)
6.1.5	Mean value imputation for item missing data	JAN (22)	JAN (22)
6.1.6	Generation of standard errors and confidence intervals around estimates	JAN (22)	JAN (22)
6.2	Nonresponse bias study of unit and item nonresponse	FEB (22)	MAR (22)
6.2.1	Comparison of respondents to non-respondents using auxiliary data, within state and category size	FEB (22)	MAR (22)
6.2.2	Comparison of states with 80% response (or greater) to those with less than 80% response	FEB (22)	MAR (22)
6.2.3	Compilation of analyses for nonresponse bias assessment (will inform technical report)	FEB (22)	MAR (22)
6.3	Final dataset and codebook	FEB (22)	MAR (22)
6.3.1	Provide BJS with SPSS files, codebook, and syntax for cleaning and processing data	FEB (22)	MAR (22)
6.3.2	Incorporate any BJS changes into final dataset	FEB (22)	MAR (22)
6.3.3	Submit final dataset and codebook for archiving according to BJS criteria	MAR (22)	MAR (22)

Task #	Task	Start Date	End Date
7	Reports and Dissemination of Findings		
7.1	Submit end of study technical report to BJS	MAR (22)	MAR (22)
7.2	Report of main data findings for publication	JAN (22)	MAR (22)
7.2.1	Complete statistical tables & notes to accompany tables	JAN (22)	MAR (22)
7.2.2	Write summary findings, background information & methodology sections for publication	FEB (22)	FEB (22)
7.2.3	Send first draft to BJS for review	FEB (22)	FEB (22)
7.2.4	Respond to BJS requests for changes (Iterative), brief senior BJS staff as needed	FEB (22)	MAR (22)
7.2.5	Submit final report to BJS	MAR (22)	MAR (22)
7.3	Assist BJS with inquiries from media and other external entities	Continuous	

Attachment 9. Proposed Correspondence

Firearm Inquiry Statistics (FIST) Program

Examples included:

- Pre-notification letter template
- First cover letter template
- First follow-up postcard text
- Second cover letter template
- Phone script for follow-up calls



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Statistics

Washington, DC 20531

_____, 2021

«AddressBlock» [Send by email or by regular mail if no email address is on file]

«GreetingLine»

I am writing to inform you that within the next few weeks you will receive a request to complete a brief survey from the Bureau of Justice Statistics (BJS) for the Firearm Inquiry Statistics (FIST) Program.

BJS began the FIST survey in 1995 to provide national estimates of the total number of firearm transfer applications received and denied pursuant to the Brady Act and similar state laws. The survey collects counts of firearm transfer and permit checks conducted by state and local agencies and combines this information with the Federal Bureau of Investigation (FBI) National Instant Criminal Background Check System (NICS) transaction data to produce national estimates of background check activity. The Regional Justice Information Service (REJIS) is the data collection agent for the FIST Program and is authorized to collect data on behalf of BJS.

Additional information on reasons for denials and law enforcement actions the FBI and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) take against denied persons is also collected. BJS presents all of this information in the Background Checks for Firearms Transfers statistical series, found at: (<https://www.bjs.gov/index.cfm?ty=dcdetail&iid=246>).

Our records indicate that your agency currently collects information on «PERMIT/CHECK_TYPE» applications for the state of «STATE_NAME». The survey takes approximately 30 minutes to complete, and REJIS will be available to answer any questions you may have about the survey or FIST data.

Your participation in this data collection is critical to ensuring the reliability of national estimates produced for firearm background check activities. On behalf of BJS and REJIS, I thank you in advance for your support of the FIST Program and participation in the 2019/2020 data collection. Should you have any immediate questions, please feel free to contact Connor Brooks, FIST Program Manager, at 202-514-8633, or Connor.Brooks@usdoj.gov.

Sincerely,

Doris J. James, Acting Director
Bureau of Justice Statistics



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Statistics

Washington, DC 20531

_____, 2021

«AddressBlock» [Send by email or by regular mail if no email address is on file]

«GreetingLine»

I am writing to request your participation in the 2019/2020 Firearm Inquiry Statistics (FIST) survey. You should have received a letter from Bureau of Justice Statistics (BJS) Acting Director Doris J. James introducing this effort. BJS has conducted this survey since 1995 with assistance from the Regional Justice Information Service (REJIS). Data provided by your agency and other agencies from across the nation will be combined to produce a national estimate of firearm applications and denials, along with reasons for denials. The data obtained will be published in the "Background Checks for Firearm Transfers" series on the BJS website (<https://www.bjs.gov/index.cfm?ty=dcdetail&iid=246>).

[Email recipients] You may complete the survey on our secure web site by going to [rejis.org/FIST](https://www.bjs.gov/index.cfm?ty=dcdetail&iid=246); then click the survey link and enter your **User ID («UserID»)** and **Password «WebPsswd»**. If you prefer a paper survey, please inform REJIS (contact information is below) and they will mail you a survey promptly.

[Regular mail recipients] The enclosed survey is designed to capture your agency's data for the 2019/2020 calendar year. Instructions for completing and returning the survey are included on the form. You may return the form by mail using the enclosed postage-paid envelope, by fax to 314-535-1729, or by email to fist@rejis.org. There is also the option for you to complete the survey on our secure web site by going to [rejis.org/fist](https://www.bjs.gov/index.cfm?ty=dcdetail&iid=246); then click the survey link and enter your **User ID («UserID»)** and **Password «WebPsswd»**.

We would greatly appreciate your return of a completed survey by _____, 20__.

Participation by your agency in this voluntary effort will continue to allow BJS to provide a wealth of data for policymakers, researchers, administrators, and others who use the data to study background check trends and activities nationwide and to understand the impact of the Brady Act and its enforcement. All data collected are summary statistics of an administrative nature and do not support identification of any individual. Data collected will be archived at the National Archive of Criminal Justice Data.

Thank you for your support of the FIST program and contributions to the FIST data collection. BJS and REJIS greatly appreciate your efforts. Please feel free to contact me if you have any questions or concerns about this request at Connor.Brooks@usdoj.gov or 202-514-8633. You may direct general comments, feedback, or questions about the FIST program to the FIST Project Manager, Ron Frandsen, at 1-800-531-2150 or 314-633-0320, or send an e-mail to fist@rejis.org.

Sincerely,

Connor Brooks
BJS Program Manager

Text of Thank You / First Follow-up Postcard:

_____, 2021

On _____, 2021, the Firearm Inquiry Statistics (FIST) survey was [emailed] [mailed] to you as part of a data collection effort on behalf of the Bureau of Justice Statistics.

If you have already completed and returned the survey, please accept our sincere thanks. If not, we request that you do so as soon as possible so that we can complete our efforts to produce national estimates of the total number of firearm transfer and permit applications and denials resulting from the Brady Act and similar state laws. Your efforts are critical to ensure the reliability of these estimates.

If you did not receive the survey or if it was misplaced, please call us toll-free at 1-800-531-2150 and we will send you another one right away.

Thank you again for your efforts.

Ron Frandsen, FIST Project Manager

_____, 2021

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On _____, 2021 we [emailed a survey link] [mailed a survey packet] to your office, on behalf of the Bureau of Justice Statistics (BJS), and asked for data from your agency on firearm transfers or permits, including counts for applications, denials, and reasons for denials. According to our records, the tallies for your agency have not been returned as of this date.

We are writing again because of the importance of your agency's totals in helping us obtain accurate data for "Background Checks for Firearm Transfers," a series published on the BJS website (<https://www.bjs.gov/index.cfm?ty=dcdetail&iid=246>). In order to accurately paint a portrait of firearms background check activity pursuant to the Brady Act and similar state laws, we need your input.

If you have already submitted your agency's data for 2019/2020 and we have not yet received it, we sincerely thank you for your participation. If you still need to submit your data, a survey is enclosed with this letter to collect background check data recorded by your agency for 2019 and 2020. The materials can be returned by fax to 314-535-1729, by email (fist@rejis.org), or by mail in the enclosed, postage-paid envelope. We encourage you to avail yourself of the secure Web reporting option as well. To complete the survey online, please go to rejis.org/FIST and enter your **User ID** (__) and **Password** (__). **In order for us to complete our analyses of the 2019 and 2020 data, please return the completed survey by _____, 2021.**

Thank you for your assistance and continued participation in this important effort. If you have any questions, comments, or concerns about this request, or if there is any way we may be of assistance to you, please contact us by phone at 1-800-531-2150 or by email at fist@rejis.org.

Sincerely,

Ron Frandsen
FIST Project Manager

FIST Phone Script – 2019/2020 Data Collection

Hello, my name is _____ and I'm calling from the Regional Justice Information Service. May I please speak with [CONTACT 1 (or 2 if needed)]? (If contact no longer there, ask for person in charge of [relevant transfer/permit type]. Leave your contact information if leaving a message).

We recently mailed the Firearm Inquiry Statistics Program survey – also known as FIST -- to you on behalf of the Bureau of Justice Statistics. We are asking for summary data from 2019 [and 2020 if state] on applications and denials for _____. (Agency-appropriate terminology is included on call sheet.)

We have previously mailed two FIST surveys to your agency but have not received a response, so I am calling to see if you received the survey.

- **If no** → offer to send another copy by mail, fax or URL for FIST survey. **VERIFY CONTACT INFO**

To access web version of the survey, supply the URL over the phone, or email: rejis.org/FIST the respondent UserID, and WebPsswrđ (provided on call sheet).

- **If yes** → *would you be able to fill out the survey or complete the online version?* Offer to mail or fax survey, or offer the Web survey. **Can also offer take data over the phone.** This may be a good option if respondent indicates they'll do it "later" or hesitates to participate because it will take too much time.

If respondent wants to know more about the FIST survey, provide a brief explanation of the survey's purpose and data collected:

The FIST survey is a very brief survey, run by BJS, that collects counts of firearm transfer and permit applications and denials from state and local agencies. This information is combined with data collected from the FBI to produce the only national estimates of background checks conducted throughout the country. We've been doing this for BJS since 1996.

We anticipate the survey will take no longer than 25 minutes (likely less) to complete and we are more than happy to walk you through it and discuss any questions you may have.

(If respondent promises to return data at a later time, **ASK FOR TIMEFRAME IN WHICH WE CAN EXPECT A RESPONSE!**)

On behalf of BJS and REJIS, thank you for your time!

**NOTE: If you get a refusal because the respondent doesn't want to share info with the federal government (as sometimes happens), you can let them know that the FBI already publishes data on every state on their website, of all inquiries to the system. So that data is already publicly available, but the FBI lacks certain data that state and local agencies can provide. What FIST tries to do is get a picture of background check activity as accurately as possible.*

Attachment 10. Data sources for FIST program

Data sources for 2019-2022 FIST program, by jurisdiction

Jurisdiction	FBI reports NICS handgun & long gun data ¹	FBI reports only NICS long gun data	State agency reports data for entire state ²	Local agencies report data ²
Total	31	7	34	12
Alabama ³	X			
Alaska	X		X	
Arizona	X		X	
Arkansas	X		X	
California			X	
Colorado			X	
Connecticut			X	
Delaware	X			
District of Columbia	X		X	
Florida			X	
Georgia	X			X
Hawaii			X	
Idaho	X			X
Illinois			X	
Indiana	X			
Iowa		X		X
Kansas	X		X	
Kentucky	X		X	
Louisiana	X		X	
Maine	X			
Maryland		X	X	
Massachusetts	X		X	
Michigan	X		X	
Minnesota	X		X	X
Mississippi	X		X	
Missouri	X			
Montana	X			X
Nebraska		X	X	X
Nevada			X	X
New Hampshire		X	X	
New Jersey			X	
New Mexico	X			
New York	X			X
North Carolina		X		X
North Dakota	X		X	
Ohio	X		X	
Oklahoma	X			
Oregon			X	
Pennsylvania			X	
Rhode Island	X		X	
South Carolina	X		X	
South Dakota	X			X
Tennessee			X	
Texas	X		X	
Utah			X	
Vermont	X			
Virginia			X	
Washington		X		X
West Virginia	X			X
Wisconsin		X	X	
Wyoming	X		X	

Note: States in more than one category have division of NICS checks and/or more than one type of check or permit.

¹In addition to the jurisdictions shown above, the FBI conducts all NICS transfer checks for five other U.S. jurisdictions: American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and the Virgin Islands. These jurisdictions are not surveyed by the FIST program.

²State and local agencies may conduct NICS checks (as a full or partial point of contact) or conduct transfer or permit checks required by state law. A state agency may compile data from local agencies.

³Local checking agencies sampled for partial-year data in 2019.