



**U.S. Department of Justice**

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

*Office of the Director*

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99 New York Ave., NE  
Washington, DC 20226  
www.atf.gov

April 23, 2025

MEMORANDUM TO: Assistant Director, Field Operations  
Assistant Director, Enforcement Programs and Services  
Chief Counsel  
Associate Assistant Director, Field Operations  
All Deputy Assistant Directors, Field Operations  
All Deputy Assistant Directors, Enforcement Programs and Services  
All Special Agents in Charge

FROM: Deputy Director

SUBJECT: NICS Alert Policy

The use of the NICS Alert is a valuable investigative technique for firearm trafficking investigations. It is critical that this tool is utilized properly and only when needed. To this end, we are undergoing an extensive review of all current alerts and stipulating additional requirements for future use of NICS alerts.


Effective immediately, Special Agents in Charge (SACs) approval and Deputy Assistant Director (DAD) concurrence is now mandatory for all NICS alerts. NICS alerts may only be utilized in cases involving suspected violations of federal firearm statutes. *See* 28 C.F.R. Part 25. This investigative technique should not be utilized to primarily investigate state firearm laws. A formal memo for approval will be utilized which will require the following information:

- Requestor's name, field division/office, contact number, and email;
- ATF case number;
- Name of the person subject to alert;
- List of suspected federal firearm violations;
- Summary of suspect's activity to date which meets FBI's criteria to initiate the NICS alert; and
- Requested length of the NICS alert: 30, 60, 90 or 180 days.

Upon SAC concurrence, the memo must be submitted to Field Management Staff (FMS) for review and DAD approval. FMS will communicate back to the SAC the DAD's decision. Upon DAD approval, the requestor will upload the approved memo into the Spartan source documents and proceed with the FBI NICS request.

FMS will monitor all NICS flags and notify the SAC and requestor of upcoming expirations. Renewal of the NICS alert requires SAC concurrence and DAD approval. This process will also be documented in a formal memo and processed through FMS. Instructions regarding the maintenance and purging of NICS alert information will be provided by FMS. Any current NICS alert may only be renewed utilizing this process.

Further, the extension of a NICS alert for more than six months requires Deputy Director approval and Chief Counsel concurrence.

 Digitally signed by  
ROBERT CEKADA  
Date: 2025.04.23  
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Robert Cekada  
Deputy Director