



## Addendum to Memorandum of Understanding Pertaining to the NIBIN Enforcement Support System (NESS)

This addendum supplements the agreement between the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the \_\_\_\_\_, dated \_\_\_\_\_, which established participation in the NIBIN Enforcement Support System (NESS). Specifically, the underlying Memorandum of Understanding (MOU) covered the ATF NESS installation, operation, and administration for the dissemination of crime gun data to enhance the efforts of law enforcement to integrate resources to reduce firearms violence, identify shooters and sources of crime guns, and refer them for prosecution. This addendum governs the sharing of NESS data with specific third-party law enforcement partners.

Currently, all data provided to ATF under the MOU is held in confidence and not provided to a third-party without prior coordination.

ATF has developed a feature within NESS to permit Collective Data Sharing (CDS). CDS will enable NESS participating agencies to view and share their NESS data with other law enforcement partners of their choosing. This feature significantly enhances the ability of law enforcement agencies to fight violent firearms crimes by broadening the knowledge base and access to potentially important leads in criminal investigations.

When a NESS partner agency chooses to participate in CDS, all of their NESS data is made available to the law enforcement partners of their choosing. Data sharing via NESS is reciprocal in that an agency does not have access to search the data pool unless they have opted in to share their NESS data with specified partner agencies.

By participating in CDS, NESS users will have a larger pool of data to examine and from which to develop investigative leads. Participating in CDS permits direct electronic access to crime gun information associated with other participating law enforcement agencies. Expanded analytical review of such data can provide leads in identifying persons engaged in the diversion of firearms into illegal commerce, link suspects to firearms in criminal investigations, identify potential firearm traffickers, and expose intrastate, interstate, and international patterns of sources and routes.

The parties hereby agree to the following:

All data submitted to ATF by \_\_\_\_\_ through the NESS application, including but not limited to, investigative reports, NIBIN linked shootings data, gun recoveries, general event data (case numbers, dates, locations, associated persons, etc.) may be shared with partner law enforcement agencies chosen by the NESS Partner Agency’s CDS Approver in NESS. These third-party NESS partner agencies must also agree to share data with your agency, or no data will be shared. Either agency can opt-out of CDS anytime by notifying the NESS Team via [NESS\\_Support@atf.gov](mailto:NESS_Support@atf.gov).

The NESS Partner Agency has designated the following individual as their CDS Approver. The CDS Approver is the only person who will be allowed to opt-in/out of CDS for their agency.

Name:	
Title:	
Signature:	
Date:	



As a recipient of third-party CDS NESS data the

agrees that all information within NESS shall be used for criminal investigative purposes only. NESS data reflects a compilation of information from multiple data sources and should not be relied upon as evidence. Investigators must collect original reports for evidentiary purposes. NESS information should not be used to develop statistics or for reporting purposes. No information contained therein may be duplicated, reproduced, or disseminated without the express authorization of ATF and/or the Originating Partner Agency, except as may be required by State or Federal law or court of competent jurisdiction. In accordance with Paragraph 10, Article XIV of the underlying MOU, the NESS Partner Agency agrees to notify ATF prior to such a release.

\_\_\_\_\_  
NESS Partner Agency

\_\_\_\_\_  
ATF Special Agent in Charge's Signature    Date

\_\_\_\_\_  
Chief Law Enforcement Officer's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Chief Law Enforcement Officer's Name

\_\_\_\_\_  
Special Agent in Charge

\_\_\_\_\_  
Title

\_\_\_\_\_  
Chief Law Enforcement Officer's Title

\_\_\_\_\_  
ATF Field Division

\_\_\_\_\_  
Mayor's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature  
(ATF – Special Agent in Charge, FOD)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor's Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Special Agent in Charge,  
Firearms Operations Division  
Title