

**(2) Limitations**

Of the amount made available to carry out this section in any fiscal year—

(A) not more than 3 percent may be used by the Attorney General for salaries and administrative expenses;

(B) not more than 5 percent may be used for technical assistance, training and evaluations, and studies commissioned by Bureau of Justice Statistics of the Department of Justice (through discretionary grants or otherwise) in furtherance of the purposes of this section; and

(C) the Attorney General shall ensure the amounts are distributed on an equitable geographic basis.

**(f) Grants to Indian tribes**

Notwithstanding any other provision of this section, the Attorney General may use amounts made available under this section to make grants to Indian tribes for use in accordance with this section.

(Pub. L. 105-251, title I, §102, Oct. 9, 1998, 112 Stat. 1871; Pub. L. 106-177, title I, §102, Mar. 10, 2000, 114 Stat. 35; Pub. L. 106-561, §2(c)(4), Dec. 21, 2000, 114 Stat. 2791; Pub. L. 107-56, title X, §1015, Oct. 26, 2001, 115 Stat. 400; Pub. L. 109-162, title XI, §1111(c)(1), Jan. 5, 2006, 119 Stat. 3101.)

## REFERENCES IN TEXT

Section 103(b) of the Brady Handgun Violence Prevention Act, referred to in subsecs. (b)(6), (8) and (c)(1), is section 103(b) of Pub. L. 103-159, as amended, which is set out as a note under section 922 of Title 18, Crimes and Criminal Procedure.

The Omnibus Crime Control and Safe Streets Act of 1968, referred to in subsec. (c)(2)(G), is Pub. L. 90-351, June 19, 1968, 82 Stat. 197, as amended. Part Q of title I of the Act is classified generally to subchapter XII-E (§3796dd et seq.) of chapter 46 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 3711 of this title and Tables.

## AMENDMENTS

2006—Subsec. (c)(2)(G), Pub. L. 109-162 substituted “such as the Edward Byrne Justice Assistance Grant Program and the M.O.R.E. program” for “such as the Local Law Enforcement Block Grant program (described under the heading ‘Violent Crime Reduction Programs, State and Local Law Enforcement Assistance’ of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (Public Law 105-119)) and the M.O.R.E. program”.

2001—Subsec. (b)(18), Pub. L. 107-56, §1015(1), added par. (18).

Subsec. (e)(1), Pub. L. 107-56, §1015(2), substituted “this section \$250,000,000 for each of fiscal years 2002 through 2007” for “this section \$250,000,000 for each of fiscal years 1999 through 2003”.

2000—Subsec. (b)(17), Pub. L. 106-177 added par. (17).

Subsec. (e)(2)(B) to (D), Pub. L. 106-561 inserted “and” after semicolon in subpar. (B), redesignated subpar. (D) as (C), and struck out former subpar. (C) which read as follows: “not less than 20 percent shall be used by the Attorney General for the purposes described in paragraph (11) of subsection (b) of this section; and”.

## EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109-162 applicable with respect to the first fiscal year beginning after Jan. 5, 2006, and each fiscal year thereafter, see section 1111(d) of Pub. L. 109-162, set out as a note under section 3750 of this title.

## SHORT TITLE

Pub. L. 105-251, title I, §101, Oct. 9, 1998, 112 Stat. 1871, provided that: “This title [enacting this subchapter] may be cited as the ‘Crime Identification Technology Act of 1998’.”

Pub. L. 105-251, title II, §201, Oct. 9, 1998, 112 Stat. 1874, provided that: “This title [enacting subchapter II of this chapter, amending sections 5119a and 5119b of this title, and enacting provisions set out as a note under section 5101 of this title] may be cited as the ‘National Criminal History Access and Child Protection Act’.”

Pub. L. 105-251, title II, §211, Oct. 9, 1998, 112 Stat. 1874, provided that: “This subtitle [subtitle A (§§211-217) of title II of Pub. L. 105-251, enacting subchapter II of this chapter] may be cited as the ‘National Crime Prevention and Privacy Compact Act of 1998’.”

## SUBCHAPTER II—EXCHANGE OF CRIMINAL HISTORY RECORDS FOR NONCRIMINAL JUSTICE PURPOSES

**§ 14611. Findings**

Congress finds that—

(1) both the Federal Bureau of Investigation and State criminal history record repositories maintain fingerprint-based criminal history records;

(2) these criminal history records are shared and exchanged for criminal justice purposes through a Federal-State program known as the Interstate Identification Index System;

(3) although these records are also exchanged for legally authorized, noncriminal justice uses, such as governmental licensing and employment background checks, the purposes for and procedures by which they are exchanged vary widely from State to State;

(4) an interstate and Federal-State compact is necessary to facilitate authorized interstate criminal history record exchanges for noncriminal justice purposes on a uniform basis, while permitting each State to effectuate its own dissemination policy within its own borders; and

(5) such a compact will allow Federal and State records to be provided expeditiously to governmental and nongovernmental agencies that use such records in accordance with pertinent Federal and State law, while simultaneously enhancing the accuracy of the records and safeguarding the information contained therein from unauthorized disclosure or use.

(Pub. L. 105-251, title II, §212, Oct. 9, 1998, 112 Stat. 1874.)

**§ 14612. Definitions**

In this subchapter:

**(1) Attorney General**

The term “Attorney General” means the Attorney General of the United States.

**(2) Compact**

The term “Compact” means the National Crime Prevention and Privacy Compact set forth in section 14616 of this title.

**(3) Council**

The term “Council” means the Compact Council established under Article VI of the Compact.

**(4) FBI**

The term “FBI” means the Federal Bureau of Investigation.

**(5) Party State**

The term “Party State” means a State that has ratified the Compact.

**(6) State**

The term “State” means any State, territory, or possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

(Pub. L. 105-251, title II, §213, Oct. 9, 1998, 112 Stat. 1874.)

**§ 14613. Enactment and consent of the United States**

The National Crime Prevention and Privacy Compact, as set forth in section 14616 of this title, is enacted into law and entered into by the Federal Government. The consent of Congress is given to States to enter into the Compact.

(Pub. L. 105-251, title II, §214, Oct. 9, 1998, 112 Stat. 1875.)

**§ 14614. Effect on other laws****(a) Privacy Act of 1974**

Nothing in the Compact shall affect the obligations and responsibilities of the FBI under section 552a of title 5 (commonly known as the “Privacy Act of 1974”).

**(b) Access to certain records not affected**

Nothing in the Compact shall interfere in any manner with—

(1) access, direct or otherwise, to records pursuant to—

(A) section 9101 of title 5;

(B) the National Child Protection Act [42 U.S.C. 5119 et seq.];

(C) the Brady Handgun Violence Prevention Act (Public Law 103-159; 107 Stat. 1536);

(D) the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322; 108 Stat. 2074) or any amendment made by that Act;

(E) the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.); or

(F) the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); or

(2) any direct access to Federal criminal history records authorized by law.

**(c) Authority of FBI under Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1973**

Nothing in the Compact shall be construed to affect the authority of the FBI under the Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1973 (Public Law 92-544 (86 Stat. 1115)).

**(d) Federal Advisory Committee Act**

The Council shall not be considered to be a Federal advisory committee for purposes of the Federal Advisory Committee Act (5 U.S.C. App.).

**(e) Members of Council not Federal officers or employees**

Members of the Council (other than a member from the FBI or any at-large member who may

be a Federal official or employee) shall not, by virtue of such membership, be deemed—

(1) to be, for any purpose other than to effect the Compact, officers or employees of the United States (as defined in sections 2104 and 2105 of title 5); or

(2) to become entitled by reason of Council membership to any compensation or benefit payable or made available by the Federal Government to its officers or employees.

(Pub. L. 105-251, title II, §215, Oct. 9, 1998, 112 Stat. 1875.)

## REFERENCES IN TEXT

The Privacy Act of 1974, referred to in subsec. (a), is Pub. L. 93-579, Dec. 31, 1974, 88 Stat. 1896, as amended, which enacted section 552a of Title 5, Government Organization and Employees, and provisions set out as notes under section 552a of Title 5. For complete classification of this Act to the Code, see Short Title note set out under section 552a of Title 5 and Tables.

The National Child Protection Act, referred to in subsec. (b)(1)(B), probably means the National Child Protection Act of 1993, Pub. L. 103-209, Dec. 20, 1993, 107 Stat. 2490, as amended, which is classified principally to subchapter VI (§5119 et seq.) of chapter 67 of this title. For complete classification of this Act to the Code, see Short Title of 1993 Amendment note set out under section 5101 of this title and Tables.

The Brady Handgun Violence Prevention Act, referred to in subsec. (b)(1)(C), is title I of Pub. L. 103-159, Nov. 30, 1993, 107 Stat. 1536, which enacted section 925A of Title 18, Crimes and Criminal Procedure, amended former section 3759 of this title and sections 921, 922, and 924 of Title 18, and enacted provisions set out as notes under sections 921 and 922 of Title 18. For complete classification of this Act to the Code, see Short Title of 1993 Amendment note set out under section 921 of Title 18 and Tables.

The Violent Crime Control and Law Enforcement Act of 1994, referred to in subsec. (b)(1)(D), is Pub. L. 103-322, Sept. 13, 1994, 108 Stat. 1796, as amended. For complete classification of this Act to the Code, see Short Title note set out under section 13701 of this title and Tables.

The United States Housing Act of 1937, referred to in subsec. (b)(1)(E), is act Sept. 1, 1937, ch. 896, as revised generally by Pub. L. 93-383, title II, §201(a), Aug. 22, 1974, 88 Stat. 653, which is classified generally to chapter 8 (§1437 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1437 of this title and Tables.

The Native American Housing Assistance and Self-Determination Act of 1996, referred to in subsec. (b)(1)(F), is Pub. L. 104-330, Oct. 26, 1996, 110 Stat. 4016, as amended, which is classified principally to chapter 43 (§4101 et seq.) of Title 25, Indians. For complete classification of this Act to the Code, see Short Title note set out under section 4101 of Title 25 and Tables.

The Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1973, referred to in subsec. (c), is Pub. L. 92-544, Oct. 25, 1972, 86 Stat. 1109, as amended. For complete classification of this Act to the Code, see Tables.

The Federal Advisory Committee Act, referred to in subsec. (d), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

**§ 14615. Enforcement and implementation**

All departments, agencies, officers, and employees of the United States shall enforce the Compact and cooperate with one another and with all Party States in enforcing the Compact and effectuating its purposes. For the Federal Government, the Attorney General shall make