

ing expungement to all persons who submit a DNA profile or DNA data for inclusion in the index;

(2) provide the eligibility criteria for expungement and instructions for requesting expungement on an appropriate public Web site; and

(3) make a determination on all expungement requests not later than 90 days after receipt and provide a written response of the determination to the requesting party.

(Pub. L. 112-253, §3, Jan. 10, 2013, 126 Stat. 2408.)

CODIFICATION

Section was formerly classified to section 14137a of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 40743. Expungement of profiles

The expungement requirements under section 12592(d) of this title shall apply to any DNA profile or DNA data collected pursuant to this subchapter for purposes of inclusion in the National DNA Index System.

(Pub. L. 112-253, §4, Jan. 10, 2013, 126 Stat. 2408.)

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this Act”, meaning Pub. L. 112-253, Jan. 10, 2013, 126 Stat. 2407, known as the Katie Sepich Enhanced DNA Collection Act of 2012, which is classified principally to this subchapter. For complete classification of this Act to the Code, see Short Title of 2013 Act note set out under section 10101 of this title and Tables.

CODIFICATION

Section was formerly classified to section 14137b of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 40744. Offset of funds appropriated

Any funds appropriated to carry out this subchapter, not to exceed \$10,000,000 for each of fiscal years 2013 through 2015, shall be derived from amounts appropriated pursuant to subsection (j) of section 40701 of this title in each such fiscal year for grants under such section.

(Pub. L. 112-253, §5, Jan. 10, 2013, 126 Stat. 2409.)

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this Act”, meaning Pub. L. 112-253, Jan. 10, 2013, 126 Stat. 2407, known as the Katie Sepich Enhanced DNA Collection Act of 2012, which is classified principally to this subchapter. For complete classification of this Act to the Code, see Short Title of 2013 Act note set out under section 10101 of this title and Tables.

CODIFICATION

Section was formerly classified to section 14137c of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

CHAPTER 409—NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM

- Sec. 40901. Establishment.
- 40902. Findings.
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SUBCHAPTER I—TRANSMITTAL OF RECORDS

- 40911. Enhancement of requirement that Federal departments and agencies provide relevant information to the National Instant Criminal Background Check System.

- Sec. 40912. Requirements to obtain waiver.
- 40913. Implementation assistance to States.
- 40914. Penalties for noncompliance.
- 40915. Relief from disabilities program required as condition for participation in grant programs.
- 40916. Illegal immigrant gun purchase notification.
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SUBCHAPTER II—FOCUSING FEDERAL ASSISTANCE ON THE IMPROVEMENT OF RELEVANT RECORDS

- 40931. Continuing evaluations.

SUBCHAPTER III—GRANTS TO STATE COURT SYSTEMS FOR THE IMPROVEMENT IN AUTOMATION AND TRANSMITTAL OF DISPOSITION RECORDS

- 40941. Disposition records automation and transmittal improvement grants.

§ 40901. Establishment

(a) Determination of timetables

Not later than 6 months after November 30, 1993, the Attorney General shall—

(1) determine the type of computer hardware and software that will be used to operate the national instant criminal background check system and the means by which State criminal records systems and the telephone or electronic device of licensees will communicate with the national system;

(2) investigate the criminal records system of each State and determine for each State a timetable by which the State should be able to provide criminal records on an on-line capacity basis to the national system; and

(3) notify each State of the determinations made pursuant to paragraphs (1) and (2).

(b) Establishment of system

Not later than 60 months after November 30, 1993, the Attorney General shall establish a national instant criminal background check system that any licensee may contact, by telephone or by other electronic means in addition to the telephone, for information, to be supplied immediately, on whether receipt of a firearm by a prospective transferee would violate section 922 of title 18 or State law.

(c) Expedited action by the Attorney General

The Attorney General shall expedite—

(1) the upgrading and indexing of State criminal history records in the Federal criminal records system maintained by the Federal Bureau of Investigation;

(2) the development of hardware and software systems to link State criminal history check systems into the national instant criminal background check system established by the Attorney General pursuant to this section; and

(3) the current revitalization initiatives by the Federal Bureau of Investigation for technologically advanced fingerprint and criminal records identification.

(d) Notification of licensees

On establishment of the system under this section, the Attorney General shall notify each licensee and the chief law enforcement officer of each State of the existence and purpose of the