§ 902.6 Appeal to the Attorney General.

(a) The Federal Bureau of Investigation or a Compact Party State may appeal the decision of the Council to the U.S. Attorney General pursuant to Section (c) of Article XI of the Compact.

(b) Appeals shall be filed and conducted pursuant to rules and procedures that may be established by the Attorney General.

(c) Appropriate notice of an appeal shall be communicated to the Council Chairman by the appealing party.

§ 902.7 Court action.

Pursuant to Section (c) of Article XI of the Compact, a decision by the Attorney General on an appeal under §902.6 may be appealed by filing a suit seeking to have the decision reversed in the appropriate district court of the United States.

PART 904—STATE CRIMINAL HISTORY RECORD SCREENING STANDARDS

Sec.

904.1 Purpose and authority.
904.2 Interpretation of the criminal history record screening requirement.
904.3 State criminal history record screening standards.

AUTHORITY: 42 U.S.C. 14616.

SOURCE: 70 FR 36628, June 22, 2005, unless otherwise noted.
§ 906.2 Third party handling of criminal history record information.

(a) Except as prohibited in paragraph (b) of this section, criminal history record information obtained from the III System for noncriminal justice purposes may be made available:

(1) To a governmental agency pursuant to a contract or agreement under which the agency performs activities or functions for another governmental

PART 905—NATIONAL FINGERPRINT FILE (NFF) PROGRAM QUALIFICATION REQUIREMENTS

Sec. 905.1 Definition.
905.2 Purpose and authority.
905.3 Participation in the NFF Program.

AUTHORITY: 42 U.S.C. 14616.

SOURCE: 70 FR 73837, Dec. 13, 2005, unless otherwise noted.

§ 905.1 Definition.

“National Fingerprint File” means a database of fingerprints, or other uniquely personal identifying information, relating to an arrested or charged individual maintained by the FBI to provide positive identification of record subjects indexed in the III System.

§ 905.2 Purpose and authority.

The purpose of this part 905 is to require each National Fingerprint File (NFF) participant to meet the standards set forth in the NFF Qualification Requirements as established by the Compact Council (Council). The Council is established pursuant to the National Crime Prevention and Privacy Compact Act (Compact), title 42, U.S.C., §14616.

§ 905.3 Participation in the NFF Program.

Each NFF Program participant shall meet the standards set forth in the NFF Qualification Requirements as established by the Council and endorsed by the FBI’s Criminal Justice Information Services Advisory Policy Board; however, such standards shall not interfere or conflict with the FBI’s administration of the III, including the NFF, for criminal justice purposes. Each participant’s performance will be audited and measured by criteria designed to assess compliance with those requirements. Measurements by which to determine compliance to the NFF Qualification Requirements are outlined in the FBI and State Sampling Standards. (For a copy of the standards, contact the FBI Compact Officer, 1000 Custer Hollow Road, Module C–3, Clarksburg, WV 26306–0001.)