

servers. Electronic messages sent within and outside of the Agency are encrypted and transmitted by staff via pre-approved electronic encryption systems as required by NASA policy. Approved security plans are in place for information systems containing the records in accordance with the Federal Information Security Management Act of 2002 (FISMA) and OMB Circular A-130, Management of Federal Information Resources. Only authorized personnel requiring information in the official discharge of their duties are authorized access to records through approved access or authentication methods. Access to electronic records is achieved only from workstations within the NASA Intranet or via a secure Virtual Private Network (VPN) connection that requires two-factor hardware token authentication. Non-electronic records are secured in locked rooms or locked file cabinets.

#### RECORD ACCESS PROCEDURES:

In accordance with 14 CFR part 1212, Privacy Act—NASA Regulations, information may be obtained by contacting in person or in writing the system or subsystem manager listed above at the location where the records are created and/or maintained. Requests must contain the identifying data concerning the requester, *e.g.*, first, middle, and last name; date of birth; description and time periods of the records desired. NASA Regulations also address contesting contents and appealing initial determinations regarding records access.

#### CONTESTING RECORD PROCEDURES:

In accordance with 14 CFR part 1212, Privacy Act—NASA Regulations, information may be obtained by contacting in person or in writing the system or subsystem manager listed above at the location where the records are created and/or maintained. Requests must contain the identifying data concerning the requester, *e.g.*, first, middle and last name; date of birth; description and time periods of the records desired. NASA Regulations also address contesting contents and appealing initial determinations regarding records access.

#### NOTIFICATION PROCEDURES:

In accordance with 14 CFR part 1212, Privacy Act—NASA Regulations, information may be obtained by contacting in person or in writing the system or subsystem manager listed above at the location where the records are created and/or maintained. Requests must contain the identifying data concerning the requester, *e.g.*, first,

middle, and last name; date of birth; description and time periods of the records desired. NASA Regulations also address contesting contents and appealing initial determinations regarding records access.

#### EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

#### HISTORY:

(15-117, 80 FR 246, pp. 79947-79949)  
(15-068, 80 FR 193, pp. 60410-60411)  
(11-091, 76 FR 200, pp. 64112-64114)

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## NATIONAL CRIME PREVENTION AND PRIVACY COMPACT COUNCIL

### Fingerprint Submission Requirements

**AGENCY:** National Crime Prevention and Privacy Compact Council.

**ACTION:** Notice of approval of the Oklahoma proposal.

**SUMMARY:** As a result of the Coronavirus (COVID-19) pandemic, the National Crime Prevention and Privacy Compact Council (Compact Council) approves a proposal submitted by the Oklahoma State Bureau of Investigation, under the previously approved Florida proposal as amended by the subsequent Florida proposal, requesting access to the Interstate Identification Index (III) System, maintained by the Federal Bureau of Investigation (FBI), on a delayed fingerprint submission basis for emergency child placement purposes.

#### FOR FURTHER INFORMATION CONTACT:

Inquiries may be addressed to Mrs. Chasity S. Anderson, FBI Compact Officer, Biometric Technology Center, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306, telephone 304-625-2803.

**SUPPLEMENTARY INFORMATION:** Title 28, Code of Federal Regulations (CFR), part 901, specifically § 901.3, gives authority to the Compact Council, established by the National Crime Prevention and Privacy Compact Act of 1998 (Compact), to approve proposals for delayed submission of fingerprints supporting requests for III records by agencies authorized to access and receive criminal history records under Public Law 92-544. The proposals must fully describe the emergency nature of the situation in which delayed submission authority is being sought, the risk to health and safety of the individuals involved, and the reasons why the submission of fingerprints contemporaneously with the search request is not feasible. The Oklahoma

proposal makes such a request when conducting criminal history record checks in connection with temporary placement of children in exigent circumstances. Due to the national COVID-19 emergency and limiting close contact with another person, as well as the unavailability or limited availability of noncriminal justice fingerprinting services, the Oklahoma proposal temporarily expands the 15-calendar day requirement as noted in the amended Florida proposal during the coronavirus pandemic. The Oklahoma proposal was submitted by email dated March 27, 2020, and approved by the Compact Council on November 4, 2020, pursuant to 28 CFR 901.2 and 901.3. Access to the III System to conduct name-based criminal history record checks, followed by fingerprint submissions, provides a responsive and timely avenue to determine whether a person presents a risk to children during exigent circumstances when time is of the essence. Pursuant to the Oklahoma proposal, such name-based checks will be followed by the submission of the person's fingerprints to the FBI as soon as possible, but not later than 180-calendar days from the date of the preliminary III name-based check, or 90-calendar days from the expiration of the state's emergency declaration, whichever occurs sooner.

*Authority:* 34 U.S.C. 40316.

Dated: October 27, 2021.

**Leslie Moore,**

*Compact Council Chairman.*

### Proposal From Oklahoma to the National Crime Prevention and Privacy Compact Council Under the Fingerprint Submission Requirements Rule

As a result of the Coronavirus pandemic, and the declaration of a state of emergency, the Oklahoma State Bureau of Investigation requests temporary approval under the previously approved Florida Proposal published in the **Federal Register** (FR) Notice dated May 21, 2001 (66 FR 28004), as amended by the subsequent Florida Proposal dated August 8, 2003 (68 FR 47369), which was submitted pursuant to the National Crime Prevention and Privacy Compact (Compact) Council's (Council) Fingerprint Submission Requirements Rule (Rule) (Title 28, Code of Federal Regulations [CFR], Part 901). The previously approved proposal provided for the delayed submission of fingerprints to the FBI within 15-calendar days of conducting preliminary Interstate Identification Index (III) name-based checks when conducting criminal history record checks in

connection with the temporary placement of children during exigent circumstances. This request is for the sole purpose of temporarily expanding the “15-calendar days” to as soon as possible, but not later than 180-calendar days during the Coronavirus pandemic, or 90-calendar days from the expiration of the state’s emergency declaration, whichever occurs sooner. In addition, the state recognizes the risk associated with a name-based check; however, due to the national pandemic and the initiative to limit close contact with another person, as well as the unavailability or limited availability of noncriminal justice fingerprinting services, it is imperative that a preliminary III name-based check be conducted.

The preliminary III name-based check and submission of follow-up fingerprints shall be conducted in accordance with state laws and procedures. The state will continue to be responsible for submitting the follow-up fingerprints in the time frame specified by the Council.

The individual(s) will be required to be fingerprinted as soon as possible, but not later than 180-calendar days from the date of the preliminary III name-based check, or 90-calendar days from the expiration of the state’s emergency declaration, whichever occurs sooner. Once obtained, the fingerprints must be immediately submitted to the state repository which will either positively identify the fingerprinted subject or will forward the fingerprints to the FBI.

All other provisions of the approved original Florida Proposal and the approved amended Florida Proposal will remain intact, including the Council’s policy guidance for use of the Rule.

Those state agencies previously authorized access to the III pursuant to 28 CFR 901.3, wishing to take advantage of the extended time frame, must submit new written requests to the FBI Compact Officer. Approvals to utilize this amended proposal will expire 30-calendar days from the date the state cancels its emergency declaration.

If the Council does not approve this temporary proposal during its next public-held meeting, this temporary proposal will expire immediately.

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## NATIONAL CRIME PREVENTION AND PRIVACY COMPACT COUNCIL

### Fingerprint Submission Requirements

**AGENCY:** National Crime Prevention and Privacy Compact Council.

**ACTION:** Notice of approval of the Colorado proposal.

**SUMMARY:** The National Crime Prevention and Privacy Compact Council (Compact Council) approves a proposal submitted by the Colorado Bureau of Investigation requesting access to the Interstate Identification Index (III) System, maintained by the Federal Bureau of Investigation (FBI), on a delayed fingerprint submission basis for the sole purpose of conducting criminal history record checks of individuals, to include volunteers, for limited critical positions, as defined by the state, in response to the coronavirus (COVID-19) pandemic.

**FOR FURTHER INFORMATION CONTACT:** Inquiries may be addressed to Mrs. Chasity S. Anderson, FBI Compact Officer, Biometric Technology Center, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306, telephone 304-625-2803.

**SUPPLEMENTARY INFORMATION:** Title 28, Code of Federal Regulations (CFR), part 901, specifically § 901.3, gives authority to the Compact Council, established by the National Crime Prevention and Privacy Compact Act of 1998 (Compact), to approve proposals for delayed submission of fingerprints supporting requests for III records by agencies authorized to access and receive criminal history records under Public Law 92-544. The proposals must fully describe the emergency nature of the situation in which delayed submission authority is being sought, the risk to health and safety of the individuals involved, and the reasons why the submission of fingerprints contemporaneously with the search request is not feasible. The Colorado proposal makes such a request when conducting criminal history record checks of individuals, to include volunteers, for limited critical positions that have access to our nation’s most vulnerable populations such as children, the elderly, and the disabled. Due to the national COVID-19 emergency and limiting close contact with another person, as well as the unavailability or limited availability of noncriminal justice fingerprinting services, the Colorado proposal temporarily allows for the delayed submission of fingerprints during the COVID-19 pandemic.

The Colorado proposal was submitted by email dated March 27, 2020, and approved by the Compact Council on November 4, 2020, pursuant to 28 CFR 901.2 and 901.3. Access to the III System to conduct name-based criminal history record checks, followed by fingerprint submissions, provides a responsive and timely avenue to determine whether an applicant presents a risk to vulnerable populations. Pursuant to the Colorado proposal, such name-based checks must be followed by the submission of the applicant’s fingerprints to the FBI as soon as possible, but not later than 180-calendar days from the date of the preliminary III name-based check, or 90-calendar days from the expiration of the state’s emergency declaration, whichever occurs sooner. Should an individual refuse or fail to submit the follow-up fingerprints in the time frame specified by the Council, the individual will no longer be permitted to hold the position for which the preliminary name-based criminal history record check was conducted.

*Authority:* 34 U.S.C. 40316.

Dated: October 27, 2021.

**Leslie Moore,**  
*Compact Council Chairman.*

### Proposal From Colorado to the National Crime Prevention and Privacy Compact Council Under the Fingerprint Submission Requirements Rule

As a result of the Coronavirus pandemic, and the declaration of a state of emergency, the Colorado Bureau of Investigation requests temporary approval under the National Crime Prevention and Privacy Compact Council’s (Council) Fingerprint Submission Requirements Rule (Rule) (Title 28, Code of Federal Regulations [CFR], Part 901), to access the Interstate Identification Index (III) on a delayed fingerprint submission basis. This proposal is for the sole purpose of conducting criminal history record checks of individuals, to include volunteers, for limited critical positions, as defined by the state, in response to the Coronavirus pandemic (*i.e.*, healthcare workers, child care workers, etc.) as specifically identified in a state statute previously approved pursuant to Public Law (Pub. L.) 92-544. In the absence of an approved Pub. L. 92-544 state statute, a state may utilize the National Child Protection Act/ Volunteers for Children Act for those positions that the covered individual has responsibility for the safety and well-being of children, the elderly, or individuals with disabilities.