

lize funding under this subsection to prioritize the identification and transmittal of felony conviction records and domestic violence records,” for “files.”.

Par. (1)(C). Pub. L. 115-141, §604(b)(3)(A), struck out “upon establishment of the national system,” before “to assist the State”.

Par. (1)(D). Pub. L. 115-141, §604(b)(2), (3)(B), (4), added subpar. (D).

1996—Par. (2). Pub. L. 104-294, §603(i)(1), amended directory language of Pub. L. 103-322, §210603(b). See 1994 Amendment note below.

1994—Par. (2). Pub. L. 103-322, §210603(b), as amended by Pub. L. 104-294, §603(i)(1), struck out “, which may be appropriated from the Violent Crime Reduction Trust Fund established by section 1115 of title 31, United States Code,” after “grants under paragraph (1)”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1996 AMENDMENT

Pub. L. 104-294, title VI, §603(i)(2), Oct. 11, 1996, 110 Stat. 3504, provided that: “The amendment made by paragraph (1) [amending section 210603(b) of Pub. L. 103-322, which amended this section and section 40901 of this title] shall take effect as if the amendment had been included in section 210603(b) of the Act referred to in paragraph (1) [Pub. L. 103-322] on the date of the enactment of such Act [Sept. 13, 1994].”

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

§ 40311. 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 non-criminal 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.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 14611 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

Statutory Notes and Related Subsidiaries

SHORT TITLE

For short title of subtitle A of title II of Pub. L. 105-251, which is classified to this subchapter, as the “National Crime Prevention and Privacy Compact Act of 1998”, see section 211 of Pub. L. 105-251, set out as a Short Title of 1998 Act note under section 10101 of this title.

§ 40312. 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 40316 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.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 14612 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 40313. Enactment and consent of the United States

The National Crime Prevention and Privacy Compact, as set forth in section 40316 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.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 14613 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 40314. 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”).