

Editorial Notes

CODIFICATION

Section was formerly classified in a note under section 922 of Title 18, Crimes and Criminal Procedure, prior to editorial reclassification and renumbering as this section.

CHAPTER 411—ACCESS TO CRIMINAL HISTORY AND IDENTIFICATION RECORDS

Sec.

- 41101. Funds for exchange of identification records.
- 41102. Parimutuel licensing simplification.
- 41103. Processing of name checks and background records for noncriminal employment, licensing, and humanitarian purposes by INTERPOL.
- 41104. Processing of fingerprint identification records and name checks by FBI.
- 41105. Criminal background checks for applicants for employment in nursing facilities and home health care agencies.
- 41106. Reviews of criminal records of applicants for private security officer employment.
- 41107. Access to the national crime information databases by tribes.

Statutory Notes and Related Subsidiaries

REGULATIONS

Pub. L. 117-159, div. A, title II, §12004(h)(3), June 25, 2022, 136 Stat. 1331, provided that: “Not later than 90 days after the date of enactment of this Act [June 25, 2022], and without regard to chapter 5 of title 5, United States Code, the Attorney General shall promulgate regulations allowing a person licensed as an importer, manufacturer, or dealer of firearms under chapter 44 of title 18, United States Code, to receive access to records of stolen firearms maintained by the National Crime Information Center operated by the Federal Bureau of Investigation, solely for the purpose of voluntarily verifying whether firearms offered for sale to such licensees have been stolen.”

§ 41101. Funds for exchange of identification records

The funds provided for Salaries and Expenses, Federal Bureau of Investigation, may be used hereafter, in addition to those uses authorized thereunder, for the exchange of identification records with officials or federally chartered or insured banking institutions to promote or maintain the security of those institutions, and, if authorized by State or Tribal statute and approved by the Attorney General, to officials of State, Tribal, and local governments for purposes of employment and licensing, any such exchange to be made only for the official use of any such official and subject to the same restriction with respect to dissemination as that provided for under the aforementioned appropriation.

(Pub. L. 92-544, title II, Oct. 25, 1972, 86 Stat. 1115; Pub. L. 117-103, div. W, title VIII, §802(c), Mar. 15, 2022, 136 Stat. 898.)

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Section was formerly classified as a note under section 534 of Title 28, Judiciary and Judicial Procedure, prior to editorial reclassification and renumbering as this section.

Section is from the Department of Justice Appropriation Act, 1973, and also from the Departments of State,

Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1973.

AMENDMENTS

2022—Pub. L. 117-103 inserted “or Tribal” after “if authorized by State” and “, Tribal,” before “and local governments”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2022 AMENDMENT

Amendment by Pub. L. 117-103 not effective until Oct. 1 of the first fiscal year beginning after Mar. 15, 2022, see section 4(a) of div. W of Pub. L. 117-103, set out as an Effective Date note under section 6851 of Title 15, Commerce and Trade.

§ 41102. Parimutuel licensing simplification**(a) In general**

An association of State officials regulating parimutuel wagering, designated for the purpose of this section by the Attorney General, may submit fingerprints to the Attorney General on behalf of any applicant for State license to participate in parimutuel wagering. In response to such a submission, the Attorney General may, to the extent provided by law, exchange, for licensing and employment purposes, identification and criminal history records with the State governmental bodies to which such applicant has applied.

(b) Definition

As used in this section, the term “State” means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States.

(Pub. L. 100-413, §2, Aug. 22, 1988, 102 Stat. 1101.)

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Section was formerly classified in a note under section 534 of Title 28, Judiciary and Judicial Procedure, prior to editorial reclassification and renumbering as this section.

EFFECTIVE DATE

Pub. L. 100-413, §3, Aug. 22, 1988, 102 Stat. 1101, provided that: “This Act [enacting this section and provisions set out as a note under section 10101 of this title] shall take effect on July 1, 1989.”

§ 41103. Processing of name checks and background records for noncriminal employment, licensing, and humanitarian purposes by INTERPOL

For fiscal year 1990 and hereafter the Chief, United States National Central Bureau, INTERPOL, may establish and collect fees to process name checks and background records for noncriminal employment, licensing, and humanitarian purposes and, notwithstanding the provisions of section 3302 of title 31, credit such fees to this appropriation to be used for salaries and other expenses incurred in providing these services.

(Pub. L. 101-162, title II, Nov. 21, 1989, 103 Stat. 995.)