

§1704. Responsibilities of compact parties**1. Director of the FBI.** The Director of the FBI shall:

A. Appoint an FBI compact officer who shall:

- (1) Administer this compact within the United States Department of Justice for federal agencies and other agencies and organizations that submit search requests to the FBI pursuant to section 1706, subsection 3;
- (2) Ensure that compact provisions and rules, procedures and standards prescribed by the council under section 1707 are complied with by the United States Department of Justice and the federal agencies and other agencies and organizations referred to in subparagraph (1); and
- (3) Regulate the use of criminal history records received by means of the III system from party states when those criminal history records are supplied by the FBI directly to other federal agencies; [PL 2001, c. 372, §3 (NEW).]

B. Provide to federal agencies and to state criminal history record repositories criminal history records maintained in its database for the noncriminal justice purposes described in section 1705, including:

- (1) Information from nonparty states; and
- (2) Information from party states that is available from the FBI through the III system but is not available from the party state through the III system; [PL 2001, c. 372, §3 (NEW).]

C. Provide a telecommunications network and maintain centralized facilities for the exchange of criminal history records for both criminal justice purposes and the noncriminal justice purposes described in section 1705 and ensure that the exchange of the criminal history records for criminal justice purposes has priority over exchange for noncriminal justice purposes; and [PL 2001, c. 372, §3 (NEW).]

D. Modify or enter into user agreements with nonparty state criminal history record repositories to require them to establish criminal history record request procedures conforming to those prescribed in section 1706. [PL 2001, c. 372, §3 (NEW).]

[PL 2001, c. 372, §3 (NEW).]

2. Party state. Each party state shall:

A. Appoint a compact officer who shall:

- (1) Administer this compact within that state;
- (2) Ensure that compact provisions and rules, procedures and standards established by the council under section 1707 are complied with in the state; and
- (3) Regulate the in-state use of criminal history records received by means of the III system from the FBI or from other party states; [PL 2001, c. 372, §3 (NEW).]

B. Establish and maintain a criminal history record repository that must provide:

- (1) Information and criminal history records for the national indices; and
- (2) The state's III system-indexed criminal history records for noncriminal justice purposes described in section 1705; [PL 2001, c. 372, §3 (NEW).]

C. Participate in the national fingerprint file; and [PL 2001, c. 372, §3 (NEW).]

D. Provide and maintain telecommunications links and related equipment necessary to support the criminal justice services set forth in this compact. [PL 2001, c. 372, §3 (NEW).]

[PL 2001, c. 372, §3 (NEW).]

3. Compliance with III system requirements. In carrying out their responsibilities under this compact, the FBI and each party state shall comply with III system rules, procedures and standards duly established by the council concerning criminal history record dissemination and use, response times, data quality, system security, accuracy, privacy protection and other aspects of III system operation. [PL 2001, c. 372, §3 (NEW).]

4. Noncriminal justice users. Use of the III system for noncriminal justice purposes authorized in this compact must be managed so as not to diminish the level of services provided in support of criminal justice purposes. Administration of compact provisions may not reduce the level of service available to authorized noncriminal justice users on the effective date of this compact. [PL 2001, c. 372, §3 (NEW).]

SECTION HISTORY

PL 2001, c. 372, §3 (NEW).

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