

SEC. 1076. ENHANCED ACCESS TO CRIMINAL HISTORY RECORD
INFORMATION FOR NATIONAL SECURITY AND OTHER PURPOSES.

(a) COVERAGE OF DEPARTMENT OF TRANSPORTATION- Section 9101 of title 5, United States Code, is amended--

(1) by adding at the end of subsection (a) the following new paragraph:

`(6) The term `covered agency' means any of the following:

`(A) The Department of Defense.

`(B) The Department of State.

`(C) The Department of Transportation.

`(D) The Office of Personnel Management.

`(E) The Central Intelligence Agency.

`(F) The Federal Bureau of Investigation.';

(2) in subsection (b)(1)--

(A) by striking `by the Department of Defense' and all that follows through `Federal Bureau of Investigation' and inserting `by the head of a covered agency'; and

(B) by striking `such department, office, agency, or bureau' and inserting `that covered agency'; and

(3) in subsection (c), by striking `The Department of Defense' and all that follows through `Federal Bureau of Investigation' and inserting `A covered agency'.

(b) REPEAL OF EXPIRED PROVISION- Subsection (b) of such section is amended by striking paragraph (3).

(c) EXPANDED PURPOSES FOR ACCESS TO CRIMINAL HISTORY INFORMATION- Subsection (b) of such section is further amended--

(1) by redesignating paragraph (2) as paragraph (4);

(2) in the first sentence of paragraph (1)--

(A) by inserting `any of the following:' after `eligibility for'; and

(B) by striking `(A) access to classified information' and all that follows through the end of the sentence and inserting the following:

`(A) Access to classified information.

`(B) Assignment to or retention in sensitive national security duties.

`(C) Acceptance or retention in the armed forces.

`(D) Appointment, retention, or assignment to a position of public trust or a critical or sensitive position while either employed by the Government or performing a Government contract.';

(3) by designating the second sentence of paragraph (1) as paragraph (2); and

(4) by designating the third sentence of paragraph (1) as paragraph (3) and in that sentence by striking `, nor shall' and all that follows through the end of the sentence and inserting a period.

(d) USE OF AUTOMATED INFORMATION DELIVERY SYSTEMS- Such section is further amended--

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

`(e)(1) Automated information delivery systems shall be used to provide criminal history record information to a covered agency under subsection (b) whenever available.

`(2) Fees, if any, charged for automated access through such systems may not exceed the reasonable cost of providing such access.

`(3) The criminal justice agency providing the criminal history record information through such systems may not limit disclosure on the basis that the repository is accessed from outside the State.

`(4) Information provided through such systems shall be the full and complete criminal history record.

`(5) Criminal justice agencies shall accept and respond to requests for criminal history

record information through such systems with printed or photocopied records when requested.'

(e) TECHNICAL AMENDMENTS- Subsection (a) of such section is amended--

(1) in paragraph (1), by striking 'includes' and all that follows through 'thereof which' and inserting 'means (A) any Federal, State, or local court, and (B) any Federal, State, or local agency, or any subunit thereof, which'; and

(2) in paragraph (4)--

(A) by inserting 'the Commonwealth of' before 'the Northern Mariana Islands'; and

(B) by striking 'the Trust Territory of the Pacific Islands,'.

(f) CONFORMING AMENDMENTS- (1)(A) The heading for chapter 91 of title 5, United States Code, is amended to read as follows:

'CHAPTER 91--ACCESS TO CRIMINAL HISTORY RECORDS FOR NATIONAL SECURITY AND OTHER PURPOSES'.

(B) The item relating to chapter 91 in the table of chapters at the beginning of part III of such title is amended to read as follows:

'91. Access to Criminal History Records for National Security and Other Purposes 9101'.

(2)(A) The heading of section 9101 of such title is amended to read as follows:

Sec. 9101. Access to criminal history records for national security and other purposes'.

(B) The item relating to that section in the table of sections at the beginning of chapter 91 of such title is amended to read as follows:

'9101. Access to criminal history records for national security and other purposes.'.

(g) REPEAL OF SUPERSEDED PROVISION- (1) Section 520a of title 10, United States Code, is repealed.

(2) The table of sections at the beginning of chapter 31 of such title is amended by striking the item relating to section 520a.

