




No. 2013- 08  
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# RECIPIENT GUIDANCE

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**PROGRAM:** Indian Housing Block Grant (IHBG)

**FOR:** Tribal Government Leaders and Tribally Designated Housing Entities

  
**FROM:** For Roger J. Boyd, Deputy Assistant Secretary, PN

**TOPIC:** Update to Instructions for Obtaining FBI Criminal  
History Record Information

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**Purpose:** This guidance updates and replaces NAHASDA Guidance No. 2004-11- *Instructions for Obtaining FBI Criminal History Record Information*. It advises tribes and Tribally Designated Housing Entities (TDHEs) on the process for obtaining Federal Bureau of Investigation (FBI) criminal history record information for the purposes of applicant screening, lease enforcement and eviction. Gaining access to such records involves:

- Requesting and obtaining an Originating Agency Identifier (ORI) number from the FBI; and
- Identifying and contracting with either a State Identification Bureau (SIB) or another approved Channeling Agent (CA) that will process and funnel requests from the tribe/TDHE (hereafter referred to as recipients) to the FBI.

This guidance also discusses the different types of checks that recipients can do and how to do them. It provides an updated list of the states in which SIBs are available to channel recipients fingerprint submissions to the FBI, as well as a listing of FBI-approved channeling agents with which recipients can enter into a contract for this service.

**Background:** Pursuant to Section 208 of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA), recipients are permitted to obtain criminal history records of applicants for employment, and of adult applicants for, and tenants of, housing assisted under NAHASDA for purposes of applicant screening, lease enforcement, and eviction. For purposes of this guidance, the term “tenants” includes homebuyers applying for, or currently being assisted under NAHASDA.

The law states that “the National Crime Information Center (NCIC), police departments, and other law enforcement agencies shall, upon request, provide information to Indian tribes or tribally designated housing entities regarding the criminal conviction records of adult applicants for employment, or tenants of, housing assisted with grant amounts provided to such tribe or entity under [NAHASDA] for purposes of applicant screening, lease enforcement, and eviction.”

**Confidentiality:** NAHASDA provides that each recipient receiving information may use such information only for the purposes provided in the Act. Such information may not be disclosed to any person who is not an officer, employee, or authorized representative of the recipient or the owner of housing assisted under NAHASDA, and who has a job-related need to have access to the information for the allowable purposes. For judicial eviction proceedings, disclosures may be made to the extent necessary.

**Overview:** Recipients wishing to check applicants and residents have several options. They can:

- a) Use local and State authorities for State records only;
- b) Conduct a name check through their local law enforcement, which has access to limited information from the NCIC Interstate Identification Index. It is the discretion of the local law enforcement whether it will charge a reasonable fee for this service. Access for this purpose does not entitle the requesting law enforcement agency to obtain the full content of automated records through the Interstate Identification Index; or
- c) Submit an applicant/tenant fingerprint card (through their channeling agent) to the FBI in order to obtain the full content of a criminal history record. The FBI and HUD have jointly agreed that every recipient shall use a channeling agent (CA) to submit its fingerprint cards to the FBI. The FBI charges a processing fee for each card; please contact your State or CA to determine the current fee. No fees or other costs should be passed on to the family or applicant.

For recipients to have access to NCIC data through their local or State law enforcement authorities, or to obtain FBI criminal history records through the submission of an applicant fingerprint card, each recipient must be assigned a unique Originating Agency Identifier (ORI) number by the FBI. Those recipients that have not yet obtained an ORI number from the FBI may do so upon written request.

Some recipients are currently channeling fingerprint cards to the FBI through their SIB. Those recipients that wish to continue channeling fingerprint cards to the FBI through their SIB may do so, or a recipient may choose to use one of the approved CAs. A recipient cannot use an SIB and an approved CA at the same time to channel fingerprint cards to the FBI.

Recipients will send the fingerprint cards directly to their SIB or CA. The CAs and SIBs will collect a fee to cover their own costs as well as the FBI fee, and forward the recipient’s fingerprint cards to the FBI for processing. The FBI will forward the results of the criminal records search directly back to the recipient.

**Issuance of ORI Numbers:** The first step in obtaining criminal history data through the NCIC is for the recipient to obtain an ORI number from the FBI. This number identifies the recipient in NCIC transactions as an entity authorized to receive criminal history records through the submission of fingerprint cards, and enables those submissions to be tracked and billed appropriately. Requests for ORI numbers should be sent directly by mail or fax to the FBI at the following address:

Section Chief  
FBI CJIS Division  
Mod E2, BSS Front Office  
1000 Custer Hollow Road  
Clarksburg, WV 26306  
Fax: 304-625-2539

The request should include the full name of the recipient, the complete mailing address, the county in which its main office is located, the number of fingerprint cards the agency will initially need (a minimum of 100 cards will be sent initially), the name and phone number of a contact person, and which SIB or other approved CA (see below) the recipient will utilize. (A sample letter is attached.) The FBI will assign an ORI number and furnish applicant fingerprint cards to the recipient. A reorder form will be included with each supply of fingerprint cards so that the recipient can reorder when necessary.

**Instructions for Obtaining Criminal History Records:** Once the recipient has its own ORI number, it is eligible to obtain criminal history records. The following procedures have been developed to facilitate the process:

- A. The recipient submits a name check request to the local/state law enforcement agency. The name check request must include the name, date of birth, and social security number of the applicant/tenant (if he/she has one). Using the ORI number assigned to the recipient, the law enforcement agency will access the Interstate Identification Index (III) through the NCIC for the purpose of determining whether an applicant/tenant may have a criminal history record indexed in the III.
- B. The law enforcement agency will advise the recipient that either:
  1. The information provided by the recipient did not match any criminal record in the index to the national database, or
  2. The information may match a criminal record indexed in the national database. This statement means only that, based on the information provided, the record may belong to the applicant/tenant, but is inconclusive without a positive fingerprint comparison. The results of an inconclusive name check cannot be used to deny an applicant admission to housing.
- C. If the local/state law enforcement agency indicates to the recipient that there is a criminal history record indexed in the III that may belong to the applicant/tenant, the recipient must submit an applicant fingerprint card to the FBI, through either the SIB or an approved CA, in order to verify whether the criminal record is in fact the applicant's. This step would of course be unnecessary if the individual chooses to withdraw his/her application.

When a fingerprint check is necessary, the FBI recommends that recipients use trained local law enforcement personnel to do the actual fingerprinting. Although the process appears simple, many fingerprints are rejected as unreadable, even when taken by qualified personnel.

- D. The applicant's fingerprints will be compared with criminal fingerprints maintained in FBI files, and if found to be identical, a copy of the corresponding criminal history record will be provided to the recipient. Applicant fingerprint card submissions not identified with a criminal record will be destroyed, and automated responses indicating that no record was found will be generated in lieu of returning the fingerprint cards to the recipient.

**Channeling To The FBI Through an SIB:** The following is a list of SIBs that are available to recipients to channel fingerprint card submissions to the FBI and be the responsible billing agent:

**State Identification Bureau Listing**

**Alabama**

Alabama Bureau of Investigation  
Department of Public Safety  
Post Office Box 1511  
Montgomery, AL 36102-1511  
(334) 353-1100

**Alaska**

Criminal Records and Identification Bureau  
Department of Public Safety  
5700 East Tudor Road  
Anchorage, AK 99507-1225  
(907) 269-5767

**Arizona**

Records and Identification Bureau  
Arizona Department of Public Safety  
Post Office Box 6638 Mail Drop 1170  
Phoenix, AZ 85005-6638  
(602) 223-2222

**Arkansas**

State Identification Bureau  
Arkansas State Police  
One State Police Plaza Drive  
Little Rock, AR 72209  
(501) 618-8500

**California**

Bureau of Criminal Information and  
Analysis  
California Department of Justice  
Room G-118 4949 Broadway  
Sacramento, CA 95820-1528  
(916) 227-3849

**Colorado**

Colorado Bureau of Investigation  
690 Kipling Street, Suite 3000  
Denver, CO 80215-8001  
(303) 239-4208

**Connecticut**

Criminal Justice Information Systems  
Department of Justice  
1111 Country Club Road  
Middletown, CT 06457-9294  
(860) 685-8480

**Delaware**

Delaware State Bureau of Identification  
Post Office Box 430  
Dover, DE 19903-0430  
(302) 739-5871

**District of Columbia**

Metropolitan Police Department  
Room 5153  
300 Indiana Avenue, NW  
Washington, D.C. 20001  
(202) 727-4081

**Florida**

Criminal Justice Information Services  
Florida Department of Law Enforcement  
Post Office Box 1489  
Tallahassee, FL 32302-1489  
(850) 410-7100

**Georgia**

Georgia Crime Information Center  
Georgia Bureau of Investigation  
Post Office Box 370808  
Decatur, GA 30037-0808  
(404) 244-2639

**Hawaii**

Hawaii Criminal Justice Data Center  
Room 102, Kekuanao'a Building  
465 South King Street  
Honolulu, HI 96813-2911  
(808) 587-3110

**Idaho**

Bureau of Criminal Identification  
700 South Stratford Drive, Suite 120  
Meridian, ID 83642-02 (208) 884-7134

**Illinois**

Bureau of Identification  
Illinois State Police  
260 North Chicago Street  
Joliet, IL 60432-4075  
(815) 740-5160

**Indiana**

Indiana State Police  
100 North Senate Avenue, RM# N301  
Indianapolis, IN 46204  
(317) 233-5424

**Iowa**

Iowa Department of Public Safety  
Division of Criminal Investigation  
215 East Seventh Street  
Des Moines, IA 50319-6010  
(515) 725-6010

**Kansas**

Kansas Bureau of Investigation  
1620 Southwest Tyler Street  
Topeka, KS 66612-1837  
(785) 296-8200

**Kentucky**

Kentucky State Police  
1266 Louisville Road, Building B  
Frankfort, KY 40601-  
(502) 227-8700

**Louisiana**

Bureau of Criminal Identification and  
Information  
Office of State Police  
Louisiana Department of Public Safety and  
Corrections  
Post Office Box 66614 Mail Slip A-6  
Baton Rouge, LA 70896-6614  
(225) 925-6096

**Maine**

Maine State Bureau of Identification  
45 Commerce Drive, SHA42  
Augusta, ME 04333-0042  
(207) 624-7200

**Maryland**

Criminal Justice Information Systems  
Central Repository  
Maryland Department of Public Safety &  
Correctional Services  
Post Office Box 32708  
Pikesville, MD 21282-2708  
(410) 764-4501

**Massachusetts**

Crime Lab  
Massachusetts State Police  
59 Horse Pond Road  
Sudbury, MA 01776  
(508) 358-3212

**Michigan**

Science, Technology, and Training Bureau  
Michigan State Police  
Post Office Box 30634  
Lansing, MI 48909-0634  
(517) 332-2521

**Minnesota**

Minnesota Justice Information System  
Minnesota Department of Public Safety-  
BCA  
1430 Maryland Avenue East  
Saint Paul, MN 55106  
(651) 793-2400

**Mississippi**

Mississippi Criminal Information Center  
Mississippi Department of Public Safety  
Post Office Box 958  
Jackson, MS 39205-0958  
(601) 933-2600

**Missouri**

Criminal Justice Information Services  
Division  
Missouri State Highway Patrol  
Post Office Box 9500  
Jefferson City, MO 65102-9500  
(573) 526-6153

**Montana**

Investigative Support Bureau  
Division of Criminal Investigation  
Montana Department of Justice  
Post Office Box 201417  
Helena, MT 59620-1417  
(406) 444-9759

**Nebraska**

Criminal Identification Division  
Nebraska State Patrol  
Post Office Box 94907  
State House Station  
Lincoln, NE 68509-4907  
(402) 471-4545

**Nevada**

Records and Technology Division  
Nevada Department of Public Safety  
Suite 100  
333 West Nye Lane  
Carson City, NV 89706  
(775) 684-6222

**New Hampshire**

Criminal Records Unit  
Division of State Police  
New Hampshire Department of Safety  
33 Hazen Drive  
Concord, NH 03305  
(603) 223-8402

**New Jersey**

State Bureau of Identification  
New Jersey State Police  
Post Office Box 7068  
West Trenton, NJ 08628-0068  
(609) 882-2000

**New Mexico**

Law Enforcement Records Bureau  
New Mexico Department of Public Safety  
Post Office Box 1628  
Santa Fe, NM 87504-1628  
(505) 827-9000

**New York**

Office of Criminal Justice Operations  
New York State Division of Criminal  
Justice Services  
80 South Swan Street  
Albany, NY 12210  
(518) 457-5837

**North Carolina**

North Carolina State Bureau of  
Investigation  
Post Office Box 29500  
Raleigh, NC 27626-0500  
(919) 662-4509

**North Dakota**

Bureau of Criminal Investigation  
North Dakota Office of the Attorney  
General  
Post Office Box 1054  
Bismarck, ND 58502-1054  
(701) 328-5500

**Ohio**

Ohio Bureau of Criminal Identification and Investigation  
Post Office Box 365  
London, OH 43140-0365  
(740) 845-2000

**Oklahoma**

Criminal Identification Section  
Oklahoma State Bureau of Investigation  
6600 North Harvey  
Oklahoma City, OK 73116-7910  
(405) 848-6724

**Oregon**

Identification Services Section  
Oregon State Police  
Building C  
3772 Portland Road, Northeast  
Salem, OR 97301  
(503) 378-3070

**Pennsylvania**

Operational Records Division  
Bureau of Records and Identification  
Pennsylvania State Police  
1800 Elmerton Avenue  
Harrisburg, PA 17110  
(717) 783-5599

**Rhode Island**

Bureau of Criminal Identification  
Department of Attorney General  
150 South Main Street  
Providence, RI 02903  
(401) 274-4400

**South Carolina**

Criminal Justice Records Section  
South Carolina Law Enforcement Division  
Post Office Box 21398  
Columbia, SC 29221-4012  
(803) 737-9000

**South Dakota**

South Dakota Division of Criminal Investigation  
Mickelson Criminal Justice Center  
1302 East Highway 14, Suite 5  
Pierre, SD 57501-5070  
(605) 773-3331

**Tennessee**

Records and Identification Section  
Tennessee Bureau of Investigation  
901 RS Gass Boulevard  
Nashville, TN 37216-2639  
(615) 744-4000

**Texas**

Crime Records Service  
Texas Department of Public Safety  
Post Office Box 4143  
Austin, TX 78765-4143  
(512) 424-2590

**Utah**

Bureau of Criminal Identification  
Utah Department of Public Safety  
Post Office Box 148280  
Salt Lake City, UT 84114-8280  
(801) 965-4939

**Vermont**

Vermont Criminal Information Center  
Vermont Department of Public Safety  
103 South Main Street  
Waterbury, VT 05671-2101  
(802) 244-8727

**Virginia**

Criminal Justice Information Services  
Virginia State Police  
Post Office Box 27472  
Richmond, VA 23261-7472  
(804) 674-2000

**Washington**

Criminal Records Division  
Washington State Patrol  
Post Office Box 42619  
Olympia, WA 98504-2619  
(360) 534-2000

**West Virginia**

West Virginia State Police  
725 Jefferson Road  
South Charleston, WV 25309-1698  
(304) 746-2100

**Wisconsin**

Crime Information Bureau  
Wisconsin Department of Justice  
Post Office Box 2718  
Madison, WI 53701-2718  
(608) 264-6207

**Wyoming**

Criminal Justice Information Section  
Wyoming Division of Criminal  
Investigation  
208 South College Drive  
Cheyenne, WY 82007  
(307) 777-7181

Recipients in the above-listed states may either:

- Use the SIB to channel their fingerprint cards to the FBI (these recipients will be provided the name and telephone number of a contact in their states for instructions on channeling procedures and applicable state processing fees along with the assignment of their ORI numbers), or
- Choose to procure services through one of the other approved CAs (see below).

**Channeling to the FBI Through A Non-SIB Channeling Agent:** FBI-approved CAs receive the fingerprint submission and relevant data, collect the associated fee(s), electronically forward the fingerprint submission with the necessary information to the FBI Criminal Justice Information System Division for a national criminal history record check, and receive the electronic record check result for dissemination to the individual. An FBI-approved CA simply helps expedite the criminal history record information on behalf of the FBI.

The process for making a request through an FBI-approved CA is consistent with FBI submission procedures. Please note that a CA may have different methods or processes for submissions. Additional fees may apply above the FBI fee for requests submitted through an FBI-approved CA. Contact each CA for processing times.

Recipients should note the following regarding CAs:

- CAs may only process requests for a U.S. person (an individual who is a citizen of the U.S. or a lawful permanent resident of the U.S.).
- CAs cannot authenticate (apostille) fingerprint search results. A request for an FBI Identification Record or proof that a record does not exist must be submitted directly to the FBI if an apostille is needed.
- CAs cannot process a request for employment purposes. This type of request should be coordinated with the appropriate SIB or local law enforcement agency for the correct procedures.

The FBI has approved the following CAs, whose points of contact are listed below in alphabetical order of the company name.



**List of FBI-Approved Channelers for Departmental Order Submissions**

3M Cogent Systems  
[www.cogentsystems.com](http://www.cogentsystems.com)  
(614) 718-9691

Inquiries, Inc.  
[www.inquiriesinc.com](http://www.inquiriesinc.com)  
(866) 987-3767

Accurate Biometrics  
[www.accuratebiometrics.com](http://www.accuratebiometrics.com)  
(773) 685-5699

IdentoGO by MorphoTrust  
[www.IdentoGO.com/FBICheck](http://www.IdentoGO.com/FBICheck)  
(877) 783-4187

Daon Trusted Identity Services, Inc.  
[www.DaonTIS.com](http://www.DaonTIS.com)  
(703) 797-2550

National Background Check, Inc.  
[www.nationalbackgroundcheck.com](http://www.nationalbackgroundcheck.com)  
(877) 932-2435

Eid Passport, Inc.  
[www.eidpassport.com](http://www.eidpassport.com)  
(855) 531-5827

National Credit Reporting  
[www.myFBReport.com](http://www.myFBReport.com)  
(800) 441-1661

Fieldprint, Inc.  
[www.fieldprint.com/FBI](http://www.fieldprint.com/FBI)  
(877) 614-4364

TRP Associates, LLC dba ID Solutions  
[www.trpassociates.net](http://www.trpassociates.net)  
(401) 736-4300

Each recipient that does not choose to channel through a SIB must competitively select a CA in accordance with its own procurement standards and HUD regulations at 24 CFR 85.36.

If there are any questions regarding this guidance, please contact your Area ONAP.

Attachment

## REQUEST FOR FBI ORI NUMBER FOR NAME CHECKS

1) For an FBI ORI Number, please fill out the attached form and print on your official letterhead.

Letter can be faxed or mailed to the following:

Section Chief  
FBI CJIS Division  
Mod E2, BSS Front Office  
1000 Custer Hollow Road  
Clarksburg, WV 26306

Fax: 304-625-2539

2) Select an FBI-approved channeler from the attached list and submit a separate request letter to use the channeler. A sample letter is attached for reference and also must be on official letterhead.

Please contact Jarrod Marozzi with any questions at 304-625-2129.

Attachment

**PRINTED ON LETTERHEAD**

**REQUEST FOR AN FBI ORI NUMBER FOR NAME CHECKS**

Section Chief  
FBI CJIS Division  
Mod E2, BSS Front Office  
1000 Custer Hollow Road  
Clarksburg, WV 26306  
Fax: 304-625-2539

Dear Section Chief:

The following Tribe/Tribally Designated Housing Entity (TDHE) is submitting this written request for an ORI number from the FBI to be used to conduct name checks on applicable housing applicants and/or tenants.

Tribe/TDHE Name: \_\_\_\_\_

Address (including city, state and zip): \_\_\_\_\_

\_\_\_\_\_

Contact Name: \_\_\_\_\_

Title of Contact: \_\_\_\_\_

Phone/Fax/Email: \_\_\_\_\_

Number of fingerprint cards needed: \_\_\_\_\_

Channeler selected for fingerprint submissions: \_\_\_\_\_

(If FBI-approved channeler, must also submit additional request letter.)

Existing ORI Number (if applicable): \_\_\_\_\_

Sincerely,

Requestor's Name

Title

Phone

Fax

Email

**SAMPLE REQUEST LETTER**

FOR [insert Tribe/Tribally Designated Housing Entity's name] TO USE  
[insert FBI-approved Channeler's name] AS A CHANNELER FOR THE SUBMISSION OF  
AUTHORIZED NONCRIMINAL JUSTICE BACKGROUND CHECKS

Mr. Gary S. Barron, FBI Compact Officer  
FBI CJIS Division  
1000 Custer Hollow Road, Module B3  
Clarksburg, West Virginia 26306

Dear Mr. Barron:

[Insert Tribe/Tribally Housing Designated Entity's name and address], the Authorized Recipient, requests permission to outsource noncriminal justice administrative functions to FBI-approved Channeler, [insert Contractor's name and address], the Contractor, to perform "Channeler" functions as set forth below. This request is made pursuant to Title 28, Code of Federal Regulations, Part 906 and the relevant Security and Management Control Outsourcing Standard. [Insert Tribe/Tribally Designated Housing Entity's name]'s authority to submit fingerprints for noncriminal justice purposes and obtain the results of the fingerprint search, which may contain criminal history record information (CHRI), is pursuant to Section 208 of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA). This authority requires or authorizes fingerprint-based background checks of applicants for employment, and of adult applicants for, and tenants of, housing assisted under NAHASDA for purposes of applicant screening, lease enforcement, and eviction [Insert Contractor's name] will serve as a "Channeler" on behalf of [insert Tribe/Tribally Designated Housing Entity's name]. The noncriminal justice administrative functions to be performed by the Channeler that may result in Channeler access to CHRI on behalf of [insert Tribe/Tribally Designated Housing Entity's name] are:

- Receive noncriminal justice applicant fingerprint submissions and collect associated fees;
- Ensure each fingerprint submissions is properly and adequately completed;
- Electronically store and forward [insert estimated number of annual submissions] fingerprint transactions to the FBI's CJIS Division for national criminal history record checks;
- Receive electronic criminal history record check results from the FBI;
- Promptly disseminate all criminal history record check results to [insert Tribe/Tribally Designated Housing Entity's name] by [insert means of dissemination – e.g. United States mail, e-mail, or posting to a web site]; and
- Comply with all Outsourcing Standard requirements.

[Insert Tribe/Tribally Designated Housing Entity's name] inquires of the FBI Compact Officer whether [insert Contractor's name] has any previous record of security violations. Upon execution of the Contract, [insert Tribe/Tribally Designated Housing Entity's name] will take responsibility for [insert Contractor's name] compliance with the terms of the Contract, to include the relevant Security and Management Control Outsourcing Standard, and will notify the FBI Compact Officer of any violations.

Sincerely,

[insert name]  
[insert title]  
[insert phone number]  
[insert email address]  
[insert fax number]