

Code of Federal Regulations
Title 28. Judicial Administration
Chapter I. Department of Justice
Part 16. Production or Disclosure of Material or Information (Refs & Annos)
Subpart C. Production of FBI Identification Records in Response to Written Requests by Subjects Thereof (Refs & Annos)

28 C.F.R. § 16.30

§ 16.30 Purpose and scope.

[Currentness](#)

This subpart contains the regulations of the Federal Bureau of Investigation (FBI) concerning procedures to be followed when the subject of an identification record requests production of that record to review it or to obtain a change, correction, or updating of that record.

Credits

[Order No. 2258–99, [64 FR 52226](#), Sept. 28, 1999]

SOURCE: Order No. 556–73, [38 FR 32806](#), Nov. 28, 1973; [51 FR 16677](#), May 6, 1986; [52 FR 33231](#), Sept. 2, 1987; Order No. 2156–98, [63 FR 29593](#), June 1, 1998; Order No. 2258–99, [64 FR 52226](#), Sept. 28, 1999; Order No. 3517–2015, [80 FR 18106](#), April 3, 2015; Order No. 008–2015, [80 FR 34051](#), June 15, 2015; Order No. 3803–2016, [82 FR 727](#), Jan. 4, 2017; Order No. 4442–2019, [84 FR 16777](#), April 23, 2019, unless otherwise noted.

AUTHORITY: 5 U.S.C. 301, 552, 552a, 553; 28 U.S.C. 509, 510, 534; 31 U.S.C. 3717.

[Notes of Decisions \(12\)](#)

Current through June 27, 2023, 88 FR 41771. Some sections may be more current. See credits for details.

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28 C.F.R. § 16.31

§ 16.31 Definition of identification record.

Currentness

An FBI identification record, often referred to as a “rap sheet,” is a listing of certain information taken from fingerprint submissions retained by the FBI in connection with arrests and, in some instances, includes information taken from fingerprints submitted in connection with federal employment, naturalization, or military service. The identification record includes the name of the agency or institution that submitted the fingerprints to the FBI. If the fingerprints concern a criminal offense, the identification record includes the date of arrest or the date the individual was received by the agency submitting the fingerprints, the arrest charge, and the disposition of the arrest if known to the FBI. All arrest data included in an identification record are obtained from fingerprint submissions, disposition reports, and other reports submitted by agencies having criminal justice responsibilities. Therefore, the FBI Criminal Justice Information Services Division is not the source of the arrest data reflected on an identification record.

Credits

[Order No. 960–81, [46 FR 52356](#), Oct. 27, 1981; Order No. 2258–99, [64 FR 52226](#), Sept. 28, 1999]

SOURCE: Order No. 556–73, [38 FR 32806](#), Nov. 28, 1973; [51 FR 16677](#), May 6, 1986; [52 FR 33231](#), Sept. 2, 1987; Order No. 2156–98, [63 FR 29593](#), June 1, 1998; Order No. 2258–99, [64 FR 52226](#), Sept. 28, 1999; Order No. 3517–2015, [80 FR 18106](#), April 3, 2015; Order No. 008–2015, [80 FR 34051](#), June 15, 2015; Order No. 3803–2016, [82 FR 727](#), Jan. 4, 2017; Order No. 4442–2019, [84 FR 16777](#), April 23, 2019, unless otherwise noted.

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Notes of Decisions (8)

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28 C.F.R. § 16.32

§ 16.32 Procedure to obtain an identification record.

Currentness

The subject of an identification record may obtain a copy thereof by submitting a written request via the U.S. mails directly to the FBI, Criminal Justice Information Services (CJIS) Division, ATTN: SCU, Mod. D-2, 1000 Custer Hollow Road, Clarksburg, WV 26306. Such request must be accompanied by satisfactory proof of identity, which shall consist of name, date and place of birth and a set of rolled-in-inked fingerprint impressions placed upon fingerprint cards or forms commonly utilized for applicant or law enforcement purposes by law enforcement agencies.

Credits

[Order No. 805-78, [43 FR 50173](#), Oct. 27, 1978; [51 FR 16677](#), May 6, 1986; Order No. 2258-99, [64 FR 52226](#), Sept. 28, 1999]

SOURCE: Order No. 556-73, [38 FR 32806](#), Nov. 28, 1973; [51 FR 16677](#), May 6, 1986; [52 FR 33231](#), Sept. 2, 1987; Order No. 2156-98, [63 FR 29593](#), June 1, 1998; Order No. 2258-99, [64 FR 52226](#), Sept. 28, 1999; Order No. 3517-2015, [80 FR 18106](#), April 3, 2015; Order No. 008-2015, [80 FR 34051](#), June 15, 2015; Order No. 3803-2016, [82 FR 727](#), Jan. 4, 2017; Order No. 4442-2019, [84 FR 16777](#), April 23, 2019, unless otherwise noted.

AUTHORITY: 5 U.S.C. 301, 552, 552a, 553; 28 U.S.C. 509, 510, 534; 31 U.S.C. 3717.

Notes of Decisions (2)

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28 C.F.R. § 16.33

§ 16.33 Fee for production of identification record.

Currentness

Each written request for production of an identification record must be accompanied by a fee of \$18 in the form of a certified check or money order, payable to the Treasury of the United States. This fee is established pursuant to the provisions of [31 U.S.C. 9701](#) and is based upon the clerical time beyond the first quarter hour to be spent in searching for, identifying, and reproducing each identification record requested as specified in [§ 16.10](#). Any request for waiver of the fee shall accompany the original request for the identification record and shall include a claim and proof of indigency. Subject to applicable laws, regulations, and directions of the Attorney General of the United States, the Director of the FBI may from time to time determine and establish a revised fee amount to be assessed under this authority. Notice relating to revised fee amounts shall be published in the Federal Register.

Credits

[[49 FR 12258](#), March 28, 1984; [51 FR 16677](#), May 6, 1986; [56 FR 22825](#), May 17, 1991; [60 FR 38](#), Jan. 3, 1995; Order No. 2258-99, [64 FR 52226](#), Sept. 28, 1999]

SOURCE: Order No. 556-73, [38 FR 32806](#), Nov. 28, 1973; [51 FR 16677](#), May 6, 1986; [52 FR 33231](#), Sept. 2, 1987; Order No. 2156-98, [63 FR 29593](#), June 1, 1998; Order No. 2258-99, [64 FR 52226](#), Sept. 28, 1999; Order No. 3517-2015, [80 FR 18106](#), April 3, 2015; Order No. 008-2015, [80 FR 34051](#), June 15, 2015; Order No. 3803-2016, [82 FR 727](#), Jan. 4, 2017; Order No. 4442-2019, [84 FR 16777](#), April 23, 2019, unless otherwise noted.

AUTHORITY: [5 U.S.C. 301](#), [552](#), [552a](#), [553](#); [28 U.S.C. 509](#), [510](#), [534](#); [31 U.S.C. 3717](#).

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28 C.F.R. § 16.34

§ 16.34 Procedure to obtain change, correction or updating of identification records.

Currentness

If, after reviewing his/her identification record, the subject thereof believes that it is incorrect or incomplete in any respect and wishes changes, corrections or updating of the alleged deficiency, he/she should make application directly to the agency which contributed the questioned information. The subject of a record may also direct his/her challenge as to the accuracy or completeness of any entry on his/her record to the FBI, Criminal Justice Information Services (CJIS) Division, ATTN: SCU, Mod. D-2, 1000 Custer Hollow Road, Clarksburg, WV 26306. The FBI will then forward the challenge to the agency which submitted the data requesting that agency to verify or correct the challenged entry. Upon the receipt of an official communication directly from the agency which contributed the original information, the FBI CJIS Division will make any changes necessary in accordance with the information supplied by that agency.

Credits

[Order No. 805-78, [43 FR 50173](#), Oct. 27, 1978; [51 FR 16677](#), May 6, 1986; Order No. 2258-99, [64 FR 52226](#), Sept. 28, 1999]

SOURCE: Order No. 556-73, [38 FR 32806](#), Nov. 28, 1973; [51 FR 16677](#), May 6, 1986; [52 FR 33231](#), Sept. 2, 1987; Order No. 2156-98, [63 FR 29593](#), June 1, 1998; Order No. 2258-99, [64 FR 52226](#), Sept. 28, 1999; Order No. 3517-2015, [80 FR 18106](#), April 3, 2015; Order No. 008-2015, [80 FR 34051](#), June 15, 2015; Order No. 3803-2016, [82 FR 727](#), Jan. 4, 2017; Order No. 4442-2019, [84 FR 16777](#), April 23, 2019, unless otherwise noted.

AUTHORITY: 5 U.S.C. 301, 552, 552a, 553; 28 U.S.C. 509, 510, 534; 31 U.S.C. 3717.

Notes of Decisions (13)

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