

**CJIS ADVISORY POLICY BOARD (APB)
SPRING 2012 ADVISORY PROCESS MEETINGS
INFORMATIONAL TOPICS**

STAFF PAPER

INFORMATIONAL TOPIC F

Biometric Information Sharing Update

PURPOSE

To provide an update on biometric information sharing initiatives.

POINT OF CONTACT

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FEEDBACK

Please send all questions or comments concerning this topic via the electronic feedback form on Law Enforcement Online or via the feedback form provided to the Training and Systems Education Unit at facsimile, (304) 625-5090 or e-mail: <AGMU@leo.gov>.

BACKGROUND

The CJIS Division's Global Initiatives Unit (GIU) has previously briefed APB Subcommittees and Working Groups on the following biometric information sharing initiatives:

- Foreign Biometric Exchange
- Preventing and Combating Serious Crime Agreements
- The Biometric Information Sharing Policy and Biometric Information Sharing Working Group

UPDATE:

Foreign Biometric Exchange (FBE): Based on previous briefings to and recommendations from the APB as well as pre-existing information sharing authorities of the FBI, the GIU's Foreign Biometric Exchange (FBE) program obtains and delivers biometric samples and related information from foreign law enforcement sources to the CJIS Division for data ingest, review, analysis, and

comparison with IAFIS. These samples are typically comprised of potential terrorist subjects, transnational criminals, or persons of national security interest. Retention of foreign biometric data in IAFIS depends on the particular agreement with the foreign agency. The GIU also assists with improving FBE capabilities by providing training and analysis to the foreign agency. Furthermore, the GIU receives and processes *ad hoc* international biometric inquiries as well as facilitates such inquiries of a foreign country's AFIS for the FBI. These *ad hoc* requests are brokered through the FBI's Legal Attaches (LEGATs) based on their authorities to share information with foreign law enforcement partners.

Through the FBE program, the CJIS Division has sharing relationships with 77 countries, in the form of both informal (*ad hoc*, verbal) agreements and formal agreements (Memoranda of Agreement, Memoranda of Understanding, or Letters of Cooperation). Collections by GIU from foreign partners range from a few records to thousands of records. To date, GIU has collected over 990,000 records from foreign partners, with over 600,000 from Afghanistan collection missions alone.

Preventing and Combating Serious Crime (PCSC): The PCSC agreements represent a White House and Congressionally-mandated joint effort between the Department of Justice, the Department of Homeland Security, and the Department of State to enter into bilateral information sharing agreements with the 36 Visa Waiver Program (VWP) countries in order to make the VWP more secure. These agreements are being implemented by the FBI at the direction of the Attorney General and will allow each party to have access to each other's fingerprint databases on a hit/no hit basis. Requests for additional information will be coordinated on a case-by-case basis, and provided through established channels (e.g., the appropriate LEGAT). All requests made under PCSC are strictly limited to Criminal Justice purposes.

Currently 20 of the 36 VWP countries have entered into PCSC agreements with the U.S.; however, none are currently sharing via the agreements. These countries include Australia, Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Portugal, Slovakia, South Korea, and Spain. Additionally one non-VWP country, Croatia, has signed a PCSC agreement.

Although Germany is not yet sharing via their PCSC agreement, the CJIS Division established PCSC connectivity with Germany's BKA in early December 2011. PCSC related sharing can commence once Germany addresses remaining internal details. Meanwhile, Spain, Estonia, Czech Republic, and Slovakia have expressed a willingness to begin sharing information under PCSC through interim measures

until the automated connections can be established. The FBI and DHS plan to travel to these countries in early 2012 to initiate the interim PCSC sharing solution.

Biometric Information Sharing Policy and the Biometric Information Sharing Working Group (BISWG): A working group has been established to approve and track the sharing of biometric extracts. The Biometric Information Sharing Policy and its Charter remain in draft form and are currently undergoing revision. However, all foreign biometric extract requests are being reviewed and approved through this process. To date, only FBI owned records have been shared via foreign extracts.