NORTH DAKOTA STATE AND LOCAL INTELLIGENCE CENTER

Verification and User Agreement

Field in red are required.

Date: Time:

**** In accordance with the FBI CJIS Policy, the National Network of Fusion Center Guidelines, and Best Practices, Law Enforcement Sensitive (LES) information will only be distributed to sworn law enforcement personnel unless otherwise determined by the individual's official position and a valid need to know. ****

Thank you for your interest in being added to the NDSLIC Distribution Lists. The following is a list of questions, information handling requirements, and a non-disclosure agreement (NDA) that are required for:

- Addition to NDSLIC Distribution Lists
- Officers' knowledge on information / intelligence access & disseminating, storage, and destruction
- The NDSLIC's compliance with NCIC and safeguarding For Official Use Only (FOUO), Controlled Unclassified Information (CUI), and Sensitive but Unclassified (SBU) information rules, regulations, and requirements.

Questions:

1. Law Enforcement Agency:
2. Agency's ORI Number:
3. Officer's Name (first then last):
4. Officer's Official Email:

***** No personal email addresses are allowed *****

5. Officer's Contact Number:
6. Officer's Position Within Agency:
7. Sworn Law Enforcement Officer currently employeed with a Law Enforcement Agency: ☐ Yes ☐ No
8. Officer's Supervisor Name and Contact Number:
9. Is the officer NCIC Certified? ☐ Yes ☐ No

If not, per the North Dakota CSA Information Security Officer: to be NCIC Certified, you must contact your agency's NCIC/Terminal Agency Coordinator (TAC) Admin and have them add you as a user in the CJIS Online portal. After you have been added, the "Security and Privacy: Privileged Role" training in the portal must be completed. Submit your completed user agreement after completion of the training.

10. Have you received NDSLIC products in the past with another agency? ☐ Yes ☐ No

If YES, provide your previous email address:

Information Handling Requirements:

Safeguarding For Official Use Only (FOUO), Controlled Unclassified Information (CUI), and Sensitive but Unclassified (SBU) Information

1. Unclassified (U) is the marking used by federal agencies and many states to identify information intended for widest dissemination. This information can be distributed without restriction, subject to copyright controls. Unclassified (U) information does not have safeguarding Sensitive but Unclassified (SBU) restrictions.

2. Unclassified/For Official Use Only (U//FOUO) is the marking used by federal agencies and many states to identify Sensitive but Unclassified information (SBU). Unauthorized disclosure of SBU information could adversely impact a person's privacy or welfare, the conduct of local, state, and/or federal programs, or other operations essential to the national interest (and that is not otherwise covered by a statute or regulation).

3. Controlled Unclassified Information (CUI) is information that requires safeguarding or dissemination controls pursuant to and consistent with applicable law, regulations, and government-wide policies but is not classified under Executive Order 13526 or the Atomic Energy Act, as amended.

4. Law Enforcement Sensitive (LES) is a SBU marking used by the NDSLIC and other local, state, federal, and tribal law enforcement agencies. LES indicates the information was compiled for law enforcement purposes and should be afforded additional security in order to protect certain legitimate government interests, law enforcement missions, criminal prosecution, to protect sources, methods, investigative activity. Including the protections provided by North Dakota Century Code (NDCC) CHAPTER 44-04.

Access and Dissemination

1. Access to FOUO, CUI, and LES information is based on a "need-to-know*" as determined by the NDSLIC and/or other agencies partners. Where there is uncertainty as to a person's need-to-know, the holder should request dissemination instructions from the NDSLIC.

2. FOUO, CUI, and LES information may be transmitted only over official e-mail channels. It shall not be transmitted over personal e-mail accounts such as Gmail, Hotmail, or Yahoo accounts.

3. Do not enter or post any FOUO, CUI, or LES information on any public website.

4. FOUO information may only be distributed to law enforcement agencies, first responders, defense, government officials, emergency management professionals, critical infrastructure partners, and individuals with a need to know.

5. Access to CUI should be encouraged and permitted to the extent that access or dissemination:
    a. Abides by the laws, regulations, or Government-wide policies that established the information as CUI;
    b. Furthers a lawful government purpose;
    c. Is not restricted by an authorized limited dissemination control established by the CUI Executive Agent; and
    d. Is not otherwise prohibited by law.
    e. Agencies may place limits on disseminating CUI beyond for a lawful government purpose only through the use of the limited dissemination controls listed below, or through methods authorized by a CUI Specified authority.
    f. Each agency's CUI policy governs specific criteria for when, and by whom, it will allow for the application of limited dissemination controls and control markings and ensure that policy aligns with 32 CFR Part 2002.
    g. Only the designating agency may apply limited dissemination controls to CUI. An agency may apply limited dissemination control markings when it designates information as CUI and may approve later requests by authorized holders to apply them. Authorized holders may apply limited dissemination control markings only with the approval of the designating agency and must follow all such markings on CUI.
    h. Designating agencies may combine limited dissemination controls to accommodate necessary practices.
    i. Using limited dissemination controls to unnecessarily restrict access to CUI is contrary to the goals of the CUI program.
    j. Reference 32 CFR 2002.16 for a full discussion of limited dissemination guidelines.

**Need-to-know: The determination made by an authorized holder of information that a prospective recipient requires access to specific information in order to perform or assist in lawful and authorized governmental function, i.e., access is required for the performance of official duties.*

6. LES information may only be distributed to law enforcement agencies unless prior approval from the originating source or NDSLIC is obtained.
7. The NDSLIC maintains an access log/audit trail and dissemination record when the database is accessed, or information is disseminated from the intelligence systems including terrorism-related information shared through the Information Sharing Environment (ISE).

Storage

- When unattended; FOUO, CUI, and LES information shall be stored in a locked filing cabinet, locked desk drawer, or other locked storage compartment.

Destruction

- Hard copy FOUO, CUI, and LES materials will be destroyed by cross-cut shredding, burning, or pulping, sufficient to assure destruction beyond recognition and reconstruction. After destruction, materials may be disposed of with normal waste. Electronic storage media shall be sanitized appropriately by overwriting. Paper products or electronic media containing FOUO, CUI, SBU, or LES information will not be disposed of in regular trash or recycling receptacles unless the materials have been destroyed as specified above.

Non-Disclosure Agreement (NDA)

1. I acknowledge that I have read the section titled “Safeguarding For Official Use Only (FOUO), Controlled Unclassified Information (CUI), and Sensitive but Unclassified (SBU) Information”.
   ☐ **Agree** ☐ **Disagree**
2. I accept the obligations contained in this Agreement in consideration of my being granted access to NDSLIC FOUO, CUI, and/or LES information. As used in this Agreement; FOUO, CUI, and/or LES information is marked or unmarked FOUO, CUI, and/or LES information, including oral communication, which is FOUO, CUI, and/or LES information under the standards of the NDSLIC. I understand and accept that by being granted access to FOUO, CUI, and/or LES information, special confidence and trust shall be placed in me by the NDSLIC.
   ☐ **Agree** ☐ **Disagree**
3. I acknowledge that I have reviewed the above sections concerning access & dissemination, storage, and destruction of FOUO, CUI, and LES information, and that I understand these procedures.
   ☐ **Agree** ☐ **Disagree**
4. I acknowledge that the unauthorized disclosure, unauthorized retention, or negligent handling of FOUO, CUI, and/or LES information by me could cause damage or irreparable injury to the active investigations, NDSLIC, and other law enforcement agencies. I hereby agree that I will not divulge FOUO, CUI, or LES information to anyone unless:
   a. The recipient has a valid “need to know” in order to perform their official duties
   b. I have been given authorization from the originating entity (individual or agency) responsible for the classification of the information that such disclosure is permitted.
   ☐ **Agree** ☐ **Disagree**
5. I acknowledge that if I am uncertain about the classification of information, I will confirm with a NDSLIC official or the originating agency that the information is FOUO, CUI, or LES before I will further disseminate it.
   ☐ **Agree** ☐ **Disagree**
6. I acknowledge that information I receive may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552) and the North Dakota Open Records Law (NDCC 44-04).
   ☐ **Agree** ☐ **Disagree**
7. I acknowledge that any breach of this agreement may result in the removal of my information for the NDSLIC distribution lists.
   ☐ **Agree** ☐ **Disagree**

Save this form once completed and email it to ndslic@nd.gov for consideration.