



NORTH DAKOTA STATE AND LOCAL INTELLIGENCE CENTER

NDSLIC Verification and User Agreement

****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 prior approval from the originating source has been given.****

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 the NDSLIC Distribution Lists
- Officers' knowledge on information/ intelligence access & disseminating, storage, and destruction
- The NDSLIC's compliance with NCIC and Safeguarding Sensitive but Unclassified (SBU) Information rules, regulations, and requirements

Questions:

1. Law Enforcement Agency employed with:
2. Law Enforcement Agency's ORI number:
3. Officer's Name (first, last):
4. Officer's official email address (no personal email addresses are allowed):
5. Officer's Contact number:
6. Position within Agency (i.e. Officer, Detective, etc...)
7. Sworn Law Enforcement Officer currently employed with a Law Enforcement Agency:
 - a. **YES NO**
8. Officer's Supervisor's name and contact number:
9. NCIC Certified: **YES NO**
 - a. *If you have successfully completed the North Dakota Law Enforcement Training Academy (LETA) or the Federal Law Enforcement Training Center (FLETC) you are NCIC certified*
10. NCIC Security Test/ Brief: **YES NO**
 - a. *Documented NCIC Security Briefing by a Training Officer within your agency*
 - b. *For North Dakota local and state officers if you are unsure of your NCIC status or need to take the Mobile Data Terminal (MDT) test to be added to our distribution lists please contact Jennifer Moeller with North Dakota State Radio @ jmoeller@nd.gov.*

Information Handling Requirements:

Safeguarding 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. **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 and LES information is based on a "need-to-know"¹ 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 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 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. LES information **may only be distributed to law enforcement agencies**, unless prior approval from the originating source or NDSLIC is obtained.
6. 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).

[NDSLIC Privacy Policy](#)

¹ **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.

Storage

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

Destruction

- Hard copy FOUO 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 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 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 and/or LES information. As used in this Agreement, FOUO and/or LES information is marked or unmarked FOUO and/or LES information, including oral communication, which is FOUO and/or LES information under the standards of the NDSLIC. I understand and accept that by being granted access to FOUO 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 of the above sections concerning access & dissemination, storage, and destruction of FOUO 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 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 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 NDSLIC or entity (individual or agency) responsible for the classification of the information that such disclosure is permitted
5. I acknowledge that if I am uncertain about the classification of information, I will confirm with a NDSLIC official that the information is FOUO or LES before I may disclose it, except to a person as provided in (a) or (b) above. **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**

I acknowledge that any breach of this agreement may result in the removal of my information for the NDSLIC distribution lists. **Agree** **Disagree**