

DEPARTMENT OF JUSTICE ANNOUNCES ADDITIONAL EXPANSION OF PROGRAM TO ENHANCE TRIBAL ACCESS TO NATIONAL CRIME INFORMATION DATABASES

Department of Justice Tribal Access Program (TAP) will Continue to Improve the Exchange of Critical Data

The Department of Justice (DOJ) is continuing to expand the Tribal Access Program (TAP) for National Crime Information in FY18; TAP provides federally-recognized tribes access to national crime information databases for both civil and criminal purposes. TAP is currently primarily funded by the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) and the Office of Community Oriented Policing Services (COPS). As such, TAP is currently prioritizing deployments to tribes that:

- Have a Tribal sex offender registry pursuant to the Adam Walsh Act and are currently unable to directly submit data to national crime information databases; and/or
- Have a Tribal law enforcement agency (not BIA direct service), that will use TAP to access the National Criminal Information Center (NCIC), Next Generation Identification (NGI), and other national databases to both view (query) and enter information.

TAP supports the selected tribes in analyzing their needs for national crime information and provides access, technology and training. In FY18, DOJ will be offering TAP services through one of the following two methods. A more detailed comparison is shown in Table 1.

- TAP-Law Enforcement Only (TAP-LEO): DOJ provides software that provides full access (both query and entry capabilities) to national crime information databases such as National Criminal Information Center (NCIC), the Interstate Identification Index (III) and the International Justice and Public Safety Network (Nlets) for law enforcement use only
- TAP- Full: DOJ provides the same basic capabilities as TAP-LEO listed above, –and also provides an additional hardware/software solution in the form of a kiosk-workstation that provides the ability to submit and query fingerprint-based transactions via FBI’s Next Generation Identification (NGI) for both criminal and civil purposes

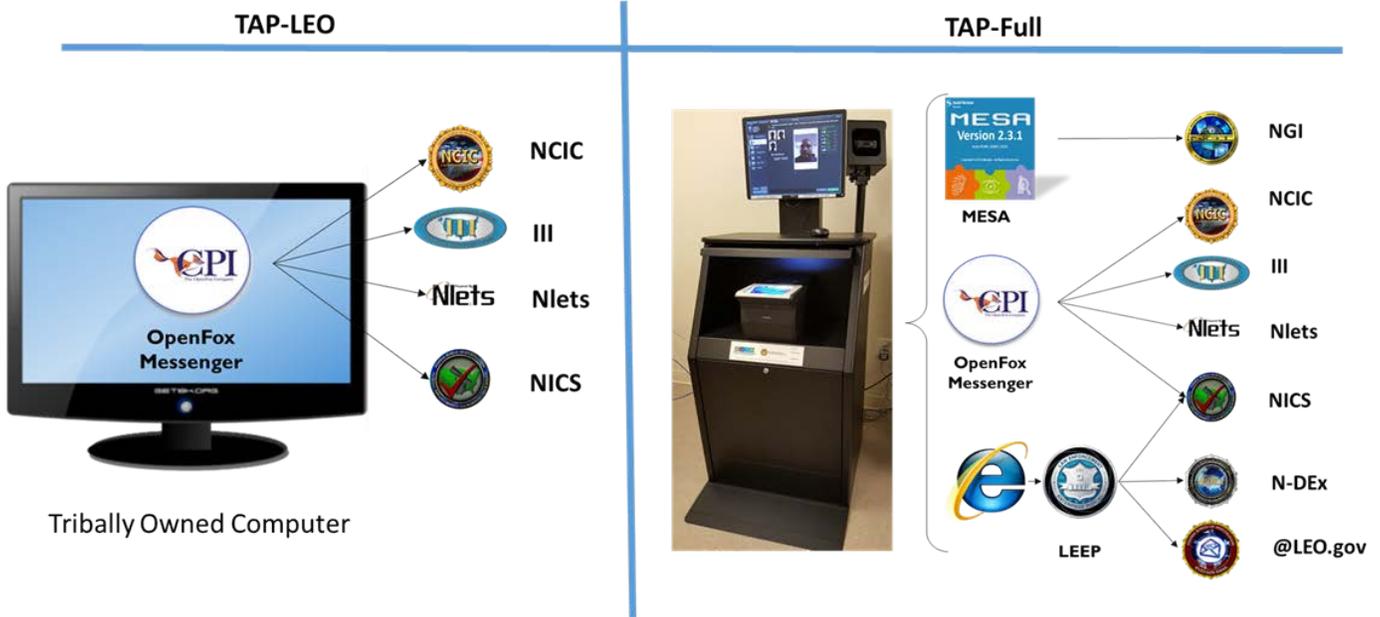


Figure 1: TAP-LEO vs TAP-Full

TAP Capabilities

Through TAP, Tribal criminal justice agencies and Tribal civil agencies have access to multiple criminal justice information databases as shown in Figure 1. Each agency’s access depends on the agency type (Law Enforcement, Criminal Justice, or Civil Agency) and the federal laws in place that authorize the agency to access various types of information under specified conditions. Table 1 outlines a comparison of features between TAP-LEO and TAP-Full.

Table 1: TAP-LEO vs TAP FULL Feature Comparison

Features	TAP-LEO	TAP-Full
DOJ provides software (OpenFox Messenger) that provides full access (both query and entry) of person and property information in national crime information databases (installed on a Tribally-owned computer)	X	X
Ability to query and submit person information to National Criminal Information Center (NCIC) such as warrants, protection orders, sex offenders, and missing persons	X	X
Ability to query and submit property information to NCIC such as stolen guns, vehicles, and property	X	X
Ability to query criminal history and criminal records from the Interstate Identification Index (III)	X	X

Features	TAP-LEO	TAP-Full
Ability to query state driver's license, vehicle information, state criminal histories, as well as international criminal justice information from Canada, Mexico, and Interpol via the International Justice And Public Safety Network (Nlets)	X	X
DOJ provides hardware and software including a-state-of-the-art kiosk workstation with capability to collect and process finger and palm prints, mugshots, and photographs of scars, marks, and tattoos		X
Ability to submit Sex Offender Registration Fingerprints to NGI AND enter Sex Offenders into NCIC's National Sex Offender Registry (NSOR) (Both required for full Sex Offender Registration)		X
Ability to submit fingerprint-based Arrests/Bookings to Next Generation Identification (NGI)		X
Ability to submit fingerprint-based background checks for criminal and civil agencies		X
Authorized Agencies: Law Enforcement only	X	
Authorized Agencies: Law Enforcement, Criminal Justice Agencies (e.g. Courts, Prosecutors, Corrections, Probation/Parole), as well as Civil Agencies (e.g. Civil Courts, Social Services, Housing, Child Protective Services, and Human Resources)		X

Background

Beginning in the fall of 2015, DOJ selected tribes to participate in the initial phases of TAP. This partnership focused on testing the DOJ's technology solution and training support; it also enabled tribes to identify and share best practices regarding the use of national crime information databases to strengthen public safety. The past two years have also helped the TAP team improve and streamline the onboarding and vetting process by which Tribal agencies prepare applications requesting access to Criminal Justice Information from the FBI; set up user accounts; complete various training and certifications; and make implementation decisions in advance of deployment. TAP coordinates a monthly Working Group meeting of all participating TAP tribes which provides a forum for Tribes and various components of DOJ, such as the TAP Team, FBI/Criminal Justice Information Services (CJIS), COPS, and SMART to address common issues, suggest solutions, and share lessons learned/best practices. The TAP team takes these lessons learned and best practices gleaned from the past two years to continue improving technology, training and deployments practices in FY18.

Success Stories

By the end of fiscal year '17, TAP will have been deployed to 34 tribes (including TAP-LEO installations) with over 130 Tribal criminal justice and civil agencies participating. Success stories from the past two years include:

- Recovered safely a vulnerable adult kidnap victim and captured the alleged kidnapper through the use of the National Data Exchange (N-DEx). The lead detective won the 2017 FBI N-DEx Excellence in Information Sharing Award for his work on this case
- Identified an unknown detainee who had a \$100,000 outstanding state warrant for assaulting a law enforcement officer
- Identified a previously unknown active warrant issued by another jurisdiction, on a sex offender during the routine process of registering that offender
- Stopped a known drug user with mental problems, who was found incompetent to stand trial, from purchasing a weapon
- Prevented a person convicted of domestic violence from purchasing a firearm after the police department identified an imminent threat to former spouse
- Completed entry of information on all sex offenders on Tribal registries into both NGI (with fingerprint, palm prints, mug shots) and NCIC's National Sex Offender Registration (NSOR) file so sex offender status will be obvious to anyone running a subsequent NCIC check or fingerprint-based background check

Applying for TAP in FY '18

The important dates for the next phase of TAP for FY '18 are:

- Expression of Interest period opens – August 16, 2017
- Expression of Interest period closes – September 15, 2017
- Announcement of selected tribes – September 29, 2017
- Onboarding and vetting of all Tribal agencies – October 6 – March 16, 2018
- Deployment of TAP Kiosk and TAP-LEO services– February 22 – September 30, 2018

Expression of Interest

Federally recognized tribes interested in participating in TAP in FY '18 must submit a letter or resolution from the tribe's governing body. This year, TAP is focusing on tribes that have gaps in their access to national crime information databases. Any information that tribes wish to provide about current challenges to access will be helpful to the selection process. The Expression of Interest document must include:

Expression of Interest – Content	TAP-LEO	TAP-Full
<p>Statement affirming that the tribe is a federally recognized tribe and meets one or both of the following priorities:</p> <ul style="list-style-type: none"> • A Tribal sex offender registry pursuant to the Adam Walsh Act and are unable to submit all data to national systems; and/or • A Tribal law enforcement agency (not BIA direct service), who will use TAP to access NCIC and other national databases for both query and entry purposes 	X	X
<p>Name and contact information of a senior Tribal executive who will act as the primary point of contact, and name and contact information of a secondary point of contact</p>	X	X
<p>Name and contact information of an agency head for each participating agency who will ensure Tribal agency participation throughout the onboarding and vetting process(minimum three month process)</p> <p>All participating agency heads must sign the Expression of Interest form agreeing to participate</p>	X	X
<p>A statement acknowledging that the tribe will adhere to CJIS Security policy and that misuse may result in access being discontinued</p>	X	X
<p>A statement acknowledging that the Tribal agencies will primarily use TAP to support named Law Enforcement, Criminal Justice, and/or SORNA, and that low or non-use for these purposes may result in access being discontinued</p>	X	X
<p>A statement that agency head will ensure that there is an agency point of contact who will remain involved in the TAP onboarding and vetting process through final deployment, which is at minimum a three month process</p>	X	X
<p>A statement that the tribe agrees to execute a Memorandum of Agreement with FBI CJIS and pay the standard national</p>		X

Expression of Interest – Content	TAP-LEO	TAP-Full
User Fees associated with fingerprint-based background checks for noncriminal justice (civil) purposes		
A statement agreeing to provide necessary documentation and establish appropriate policies during the onboarding and vetting period	X	X
A statement agreeing to ensure individual users of TAP establish appropriate accounts, take required training, successfully complete fingerprint-based background checks, and obtain necessary certification during the onboarding and vetting period	X	X
A statement agreeing to ensure users of TAP participate in deployment day training	X	X
A statement agreeing to comply with, and adhere to, all auditing and policy requirements as well as all personnel, physical, and technical security requirements.	X	X
A statement agreeing to provide high-speed Internet access	X	X
A statement agreeing to provide a Tribally owned PC(s) that meets the necessary specifications for the installation of OpenFox Messenger to access NCIC	X	X

The letter or Tribal resolution expressing interest from the tribe’s governing body must be sent via email to TAP.App@usdoj.gov no later than midnight Eastern time, September 15, 2017. The letter or Tribal resolution must be signed by the Tribal governing body and all participating agency heads.

For information on TAP, visit www.justice.gov/tribal/tribal-access-program-tap