

IDENTITY VERIFICATION PROGRAM GUIDE
FOR FINGERPRINT SUBMITTING AGENCIES AND CONTRACTORS

PREPARED BY

THE NATIONAL CRIME PREVENTION AND PRIVACY COMPACT COUNCIL

The National Crime Prevention and Privacy Compact Council (Compact Council) is a 15-member body of local, state, and federal governmental officials which prescribes system rules and procedures for the effective and proper operation of the Interstate Identification Index (III) for noncriminal justice purposes.

In recent years, the demand for fingerprint based background checks for noncriminal justice purposes has increased. Fingerprinting agencies and contractors alike have expressed concern that applicants with a criminal history record may have some pose as the applicant for fingerprinting purposes. In response to these concerns, the Compact Council prepared this guide for voluntary use in the development of policy, procedures, and practices for applicant identity verification.

Factors to Consider

(For the purpose of this guide, “agency” will refer to any agency or contractor responsible for the capture and/or submission of fingerprints for noncriminal justice purposes.)

In the course of establishing an applicant verification program, agencies may choose to consider the following factors:

- Clearly define and document policy, procedure, and practices. Document what is accomplished and how it is performed.
- Review current business policy, procedure, and practices regarding verification, training, legal obligations, and privacy implications that may be incorporated into a program.
- Develop an understanding of the use of various biometric-based systems.

Preliminary Considerations

Coordination with the State Repository

Since the state repository manages the processing of fingerprint submissions to the FBI, it is suggested that appropriate coordination and liaison be established at that level as a preliminary step toward an applicant identity verification program.

Fingerprinter Certification

Another preliminary consideration for states may be the enacting of a Public Law 92-544 based statute establishing a certification process that qualifies the employees capturing the applicant's fingerprints. This may include a requirement for a fingerprint-based background check of those employees.

Policy, Procedures, and Practices

In developing a fingerprint application verification program, the Compact Council suggests establishing written policy, procedures, and practices. The following guide may be helpful in the process.

- Determine Policy, Procedures, and Practices
- Create an Identification Validation Guide
- Create Chain of Custody Procedures

Determine Policy, Procedures and Practices

Policy, Procedures, and Practices may include:

A. Training in the capture of fingerprints (rolled or flats, and electronic or manual)

B. Certification of employees performing duties under the scope of the identity verification program, which may include recognizing and validating authorized identification forms, identification documents, and source documents for identity confirmation

C. Security considerations:

1. Train employees to recognize and handle the various identification form security features such as biometric features and machine-readable technology.
2. Assign a unique identification number to each employee to be included with each fingerprint submission.
3. Train employees to recognize official identification forms, documents, and fraudulent or counterfeit documents.

Create an Identification Validation Guide

Primary and Secondary Identification

Currently most agencies request some type of photo identification card as one method for verifying an individual's identity. The compact Council suggests agencies accept only current, valid, and unexpired picture identification documents. As a primary form of picture identification, a state-issued driver's license* which meets the requirements of Public Law 109-13 may be presented by an applicant when being fingerprinted. However, in the absence of the new driver's license, applicants may provide one or more secondary documents including:

- State Government Issued Certificate of Birth
- U.S. Active Duty/Retiree/Reservist Military Identification Card (000 10-2)
- U.S. Passport
- Federal Government Personal Identity Verification Card (PIV)
- Department of Defense Common Access Card
- U.S. Tribal or Bureau of Indian Affairs Identification Card
- Social Security Card
- Court Order for Name Change/Gender Change/Adoption/Divorce
- Marriage Certificate (Government Certificate Issued)
- U.S. Government Issued Consular Report of Birth Abroad
- Foreign Passport with Appropriate Immigration Document(s)
- Certificate of Citizenship (N560)
- Certificate of Naturalization (N550)
- INS I-551 Resident Alien Card Issued Since 1997
- INS I-668 Temporary Resident Identification Card
- INS I-688B, I-766 Employment Authorization Card

* For those applicants without a driver's license, a state identification card may be presented if the state's identification card standards are the same as for the driver's license.

Secondary Identification Data Support Documents

When validating the authenticity of secondary identification documents and forms, the data and information may be supported by at least two of the following:

- Utility Bill (Address)
- Jurisdictional Voter Registration Card
- Vehicle Registration Card/Title
- Paycheck Stub with Name/Address
- Jurisdictional Public Assistance Card
- Spouse/Parent Affidavit
- Cancelled Check or Bank Statement
- Mortgage Documents

Additional Identification Data Support Methods

When supplemental documentation does not support the validation of the original identification documents, the agency may choose any or all of the following methods to validate the authenticity of the documents:

Physically examine the applicant's photograph on the identification form/card.
Visually compare the picture with the applicant in person.

Compare the physical descriptors of the applicant to the documentation provided by the applicant. (i.e. height, weight, hair and eye color, age, etc.)

Request the applicant to verbally provide date of birth, address, etc. and check this against the identification forms used.

Check the applicant's signature in person with that on the identification form.

Ensure that the identification form has not been altered in any manner.

If available, verify that the machine readable data matches the data on the card when it is scanned.

When an agency has a reason to believe an applicant has presented fraudulent information, agency personnel should contact local law enforcement.

No attempt should be made to detain or pursue the person.

Create Chain of Custody Procedures

An agency may employ a process to protect the integrity of the applicant's fingerprints when they are forwarded to the state identification bureau and/or the FBI. The following information provides a guide to developing a chain of custody process:

- A. Establish provisions for the agency to manage both manually and electronically captured fingerprints.

- B. Establish an agency tracking system (applicant log) using the employee's name or some other method for identifying the individual capturing the fingerprints and verifying the applicant's identity.

- C. Establish procedure that documents the type of identification used by the applicant.

- D. Establish procedures that use specially sealed envelopes, agency specific stamps, etc. for the agency to use when forwarding the applicant's manually captured fingerprints.

- E. Implement the use of form(s), which may include the:
 - 1. Date of fingerprinting
 - 2. Reason for fingerprinting
 - 3. Printed name, signature, and/or identification number of the employee taking the fingerprints
 - 4. Name of employee's supervisor
 - 5. Supervisor's signature
 - 6. Address of agency to receive fingerprints
 - 7. Name of agency and physical address where fingerprinting was performed
 - 8. Type of fingerprint capture (rolled ink, flat ink, live scan, etc.)
 - 9. Applicant's disclosure information

For further information, please visit the Compact Council website at:

www.fbi.gov/hq/cjisd/web%20page/cc.htm

Federal Legislation and Other Documents Pertinent to this Guide:

42 U.S.C. § 14616

Public Law 109-13, also referred to as the REAL ID Act
(The Emergency Supplemental Appropriations Act for Defense,
the Global War on Terror, and Tsunami Relief Act, May 11, 2005)

HSPD-12 (Homeland Security Presidential Directive - 12)

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