



**Privacy Impact Assessment Update
for the**

**National Child Victim Identification
System (NCVIS)**

DHS/ICE/PIA-010(a)

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Contact Point

James Dinkins

Exec. Associate Director

Homeland Security Investigations

U.S. Immigration and Customs Enforcement

(202) 732-5100

Reviewing Official

Mary Ellen Callahan

Chief Privacy Officer

Department of Homeland Security

(703) 235-0780



Abstract

The National Child Victim Identification System (NCVIS), owned by U.S. Immigration & Customs Enforcement (ICE), Homeland Security Investigations (HSI),¹ is an application that assists federal, state, local, and international law enforcement agencies, INTERPOL, and other supporting organizations, such as the National Center for Missing and Exploited Children (NCMEC) (hereafter, authorized partners) in the investigation and prosecution of child exploitation crimes, specifically those involving images of child sexual exploitation. NCVIS maintains a repository of digital images of child exploitation seized and/or submitted to ICE for comparison by law enforcement agencies. These images may capture the faces or other identifying features of the victims and violators involved in these crimes. HSI is expanding the scope of system information that is shared with authorized partners that maintain their own databases of images related to child exploitation crimes for the purposes of identifying the child victims and supporting law enforcement investigations and prosecutions of these crimes. This expanded sharing is intended to allow law enforcement personnel to use these images during investigations to identify and rescue child victims as well as identify and prosecute the perpetrators of these crimes. HSI is also expanding the range of images shared with law enforcement agencies that have requested a matching report of an image submitted for NCVIS comparison. The Privacy Impact Assessment (PIA) for NCVIS was originally published on August 21, 2009.² Because HSI is expanding the scope of NCVIS information that is shared with authorized partners, an update to the NCVIS PIA is required.

Introduction

Through NCVIS, HSI provides a service to law enforcement agencies that have seized images of child exploitation but do not know the identity of the victim, or whether the image is real or computer-generated.³ Agencies may submit these images, known as “unconfirmed images,” to HSI’s Cyber Crimes Center and request they be compared against the NCVIS repository of images where the victim has been identified, known as “confirmed images.” If NCVIS identifies a match, HSI can provide the requesting law enforcement agency with a report containing specific information relative to the matching confirmed image, including the series name and law enforcement agency contact. This service allows law enforcement agencies and other authorized partners to identify related cases and collaborate on efforts that further the prosecution of these crimes.

With this update to the NCVIS PIA, HSI is expanding the sharing of NCVIS images with law enforcement agencies and other authorized partners that use this service. In response to image matching

¹ The Homeland Security Investigations (HSI) directorate within ICE was formerly known as the ICE Office of Investigations (OI).

² See DHS/ICE-010 NCVIS PIA (2009), at www.dhs.gov/privacy.

³ For purposes of NCVIS, images of child exploitation are defined using the statutory definition of “child pornography,” which means any visual depiction, such as a photograph, film, video, or picture, of sexually explicit conduct where the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct. See 18 U.S.C. 2256(8)(A).



requests, HSI will now provide other related images that are in the same series as the confirmed image in NCVIS. A “series” is a set of sequential or related images in NCVIS that include images of child exploitation. The images in a series, separately and as a whole, may provide useful information to the investigator that will assist in identifying the victim and/or violator, or in otherwise investigating the crime.

In addition, HSI is expanding the scope of system information that is shared with other domestic, foreign, and international law enforcement agencies and authorized partners that maintain their own databases of images related to child exploitation crimes for the purposes of identifying the child victims and supporting law enforcement investigations and prosecutions into these crimes worldwide. Specifically HSI will share images of both unidentified and identified victims with authorized partners to assist in the investigative processes that these databases support. In the case of identified victims, HSI will share general information about the victim, such as age range, relationship to the offender, and year of the image production, as well as contact information for the investigator who is the point of contact for that particular identified victim. The victim name is not shared nor is it stored in NCVIS. This expanded sharing will occur via secure electronic means. NCVIS will also receive images from authorized partners’ databases. The purpose of this expanded information sharing is to improve the efficiency of these investigations by putting investigating agencies in touch with each other on related cases, and to increase the likelihood of identifying the victims in the images.

Reason for the PIA Update

This PIA is being updated to reflect the expanded sharing of system data with authorized partners to support the investigation of child exploitation crimes.

Privacy Impact Analysis

In each of the below sections consider how the system has changed and what impact it has on the below fair information principles. In some cases there may be no changes and indicate as such.

The System and the Information Collected and Stored within the System

There are no changes to the information collected and stored within NCVIS, as the data maintained in the system will continue to be images of child exploitation and the associated information described in Question 1.1 of the DHS/ICE-010 NCVIS PIA (2009). Domestic, foreign, and international law enforcement agencies and other authorized partners will provide HSI with images from their own databases for inclusion in NCVIS. To maintain synchronization of databases, NCMEC will continue to receive images as before.⁴

⁴ For a more detailed description of NCMEC and its role in the NCVIS process, please see the DHS/ICE/PIA-010 NCVIS PIA (2009).



Uses of the System and the Information

The purpose of NCVIS has expanded to include the synchronization of databases similar to NCVIS maintained by other law enforcement agencies and other authorized partners. All images between ICE and authorized partners will be shared to allow for optimal use of the databases in identifying matching images and child victim identities, where known. No new privacy risks are presented by the data sharing necessary to synchronize these databases, as the data are collected and maintained for the same purpose – the investigation and prevention of child exploitation crimes.

Retention

There are no changes to the retention period of the data.

Internal Sharing and Disclosure

There are no changes to the sharing and disclosure of the data within the Department.

External Sharing and Disclosure

With this update to the NCVIS PIA, HSI is expanding the sharing of NCVIS images with authorized partners that use this service. In response to image matching requests by authorized partners, HSI will now provide other related images that are in the same series as the confirmed image in NCVIS. The same secure protocols described in the DHS/ICE-010 NCVIS PIA (2009) for transmitting this information to the requesting partner remain in place. The only change is that additional images are now included in the matching report, and not just the single matching image.

In addition, HSI is expanding the scope of system information that is shared with authorized partners that maintain their own databases of images related to child exploitation crimes for the purposes of identifying the child victims and supporting law enforcement investigations and prosecutions into these crimes worldwide. The purpose of this expanded information sharing is to improve the efficiency of these investigations by putting investigating agencies in touch with each other on related cases, and to increase the likelihood of identifying the victims in the images.

Specifically, HSI will share images of both unidentified and identified victims with authorized partners to assist in the investigative process that these databases support. In the case of identified victims, HSI will share general information about the victim, such as age range, relationship to the offender, and year of the image production, as well as the investigator who is the point of contact for that particular identified victim. The victim name is not shared nor is it stored in NCVIS. Sharing information on which images contain identified victims and the victim information assists law enforcement efforts to prove that an image contains a real child victim, which is generally a requirement for any prosecution of the crime. This sharing enables authorized partners across different jurisdictions and nations to benefit from the victim-identification efforts of a single agency, thereby preserving law enforcement resources and preventing repetitive investigative work to identify a victim who is already known.



This expanded sharing will occur via secure electronic means. Specifically, ICE is using a secure file sharing technology that uses encrypted transmission protocols to share information with authorized partners. Access to this technology is provided exclusively to investigators with a mission need that is validated by the HSI Cyber Crimes Center Section Chief who oversees the NCVIS system.

The risks associated with sharing these images with external parties are mitigated by the fact that ICE only shares NCVIS information with other authorized partners in the context of investigations of child sexual exploitation crimes. Recipients of this information are trained law enforcement officers or authorized support personnel who handle it pursuant to strict legal and evidentiary standards and are subject to disciplinary or criminal penalties in the event of non-compliance.

Notice

There are no changes to the notice required or provided to individuals whose images may be maintained in the system. General notice about the information maintained in the system, its uses, and how that information is shared is provided by the DHS/ICE-010 NCVIS PIA (2009) and this update.

Individual Access, Redress, and Correction

There are no changes to individual access, redress, and correction.



Technical Access and Security

As discussed above, HSI and its authorized partners share information from their respective databases using a secure file sharing technology that uses encrypted transmission protocols to protect the data. The sharing of additional data with authorized partners in the matching reports is accomplished using the same strict security requirements as described in the DHS/ICE-010 NCVIS PIA (2009).

Responsible Official

Lyn Rahilly
Privacy Officer
U.S. Immigration and Customs Enforcement
Department of Homeland Security

Approval Signature

Original signed and on file with the DHS Privacy Office

Mary Ellen Callahan
Chief Privacy Officer
Department of Homeland Security