

SECTION 1.2 -- CRITERIA FOR ENTRY

1. GENERAL CRITERIA

An entry in the Identity Theft File must be supported by an official complaint recorded by a law enforcement agency. Documentation for the identity theft complaint must meet the following criteria before an entry can be made into the Identity Theft File:

1. Someone is using a means of identification of the victim (denoted in the Identity Theft and Assumption Deterrence Act of 1998 as any name or number that may be used, alone or in conjunction with any other information, to identify a specific individual).
2. The identity of the victim is being used without the victim's permission.
3. The victim's identity is being used or intended to be used to commit an unlawful activity.
4. The victim must sign a consent waiver prior to the information being entered into the Identity Theft File. The following waiver may be used independently or incorporated into a state form.

IDENTITY THEFT FILE CONSENT DOCUMENT

By signing this document, I hereby provide the _____
(Insert local, state, or federal law enforcement agency name) permission to enter my personal data into the Federal Bureau of Investigation's (FBI's) Identity Theft File. This information may include, but is not limited to, physical descriptors and identifying information including my name, date of birth, place of birth, Social Security number, the type of identity theft, and a password provided to me for future identification verification purposes. I am also providing permission to enter my photograph and fingerprints into this file when that capability becomes available.

I understand that this information is being submitted as part of a criminal investigation of a crime of which I was a victim and will be available to entities having access to the FBI's National Crime Information Center (NCIC) files for any authorized purpose. I am providing this data voluntarily as a means to document my claim of identify theft and to obtain a unique password to be used for future identity verification purposes.

I understand that the FBI intends to remove this information from the NCIC active file no later than five years from the date of entry. I also understand that I may at any time submit a written request to the entering agency to have this information removed from the active file at an earlier date. I further understand that information removed from the active file will not thereafter be accessible via NCIC terminals, but it will be retained by the FBI as a record of the NCIC entry until such time as its deletion may be authorized by the National Archives and Records Administration.

I understand that this is a legally binding document reflecting my intent to have personal data entered into the FBI's Identity Theft File. I declare under penalty of perjury that the foregoing is true and correct. (See Title 28, United States Code [U.S.C.], Section 1746.)

SIGNATURE

DATE

PRINTED NAME

The Privacy Act of 1974 (5 U.S.C. § 552a) requires that local, state, or federal agencies inform individuals whose Social Security number is being requested whether such disclosure is mandatory or voluntary, the basis of authority for such solicitation, and the uses which will be made of it. Accordingly, disclosure of your Social Security number is voluntary; it is being requested pursuant to 28 U.S.C. § 534 and _____ (add any applicable state authorization, if desired) for the purposes described above. The Social Security number will be used as an identification tool; consequently, failure to provide the number may result in a reduced ability to make such identifications or provide future identity verifications.