

Subject: Kelley Public Records Request #905
From: Ramon Hobdey-Sanchez <Ramon.Hobdey-Sanchez@itd.idaho.gov>
Date: 10/3/19, 2:11 PM
To: "jason@eff.org" <jason@eff.org>
CC: Heidi Lewis <Heidi.Lewis@itd.idaho.gov>

October 3, 2019

Electronic Frontier Foundation
Attn: Jason Kelley
815 Eddy St
San Francisco, CA 94109

RE: ITD Public Records Request #905 (DMV Data and Information)

Dear Mr. Kelley,

Thank you for your patience as your public records request submitted on September 16, 2019, has now been processed. Your original request is attached. Per your submission, the Idaho Transportation Department offers the following:

- 1) GEMALTO contract (#CPO162400149). The Idaho Department of Administration, Division of Purchasing (DOP), is the custodian of these documents. To obtain the most accurate and complete records, please submit your request to DOP at purchasing@adm.idaho.gov.
- 2) ITD does not have any responsive documents for this portion of the request.
- 3) N/A
- 4) ITD does not have any Agreements or MOUs with any other entities to allow for the running of facial recognition searches. Although ITD is a signatory on the attached MOU with the FBI, ITD actually has no capability to comply with the terms of the MOU as it does not have facial recognition capabilities. See the attached MOU between ITD and FBI. Please note: *ITD does not have the technology or ability to comply with this MOU.*
- 5) Everything is in state administrative rule, federal regulations or federal code ([49 CFR Part 384](#), [49 U.S.C Chpt. 303](#) and [IDAPA 39.02.41](#)). See the attached MOU between ITD and the Idaho State Police. Please note: *This MOU is significantly out of date and all information exchange is under IDAPA rule.*

Therefore, this request is now considered closed. If you have any additional questions, comments or concerns please let us know. Thank you.

Best regards,

Ramón S. Hobdey-Sánchez, J.D.
Office of Governmental Affairs
Idaho Transportation Department
208.334.8810 (office)



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From: Ramon Hobdey-Sanchez
Sent: Monday, September 16, 2019 2:16 PM
To: jason@eff.org
Cc: Heidi Lewis
Subject: Kelley Public Records Request #905

September 19, 2019

Electronic Frontier Foundation
Attn: Jason Kelley
815 Eddy St
San Francisco, CA 94109

RE: ITD Public Records Request #905 (DMV Data and Information)

Dear Mr. Kelley,

This email acknowledges that the Idaho Transportation Department (ITD) received your public records request on September 16, 2019. Your original request is attached and below.

ITD is considering this request and it is currently being processed. However, due to the nature of this inquiry and our limited resources, every effort will be made to have the information ready and available by close of business September 30, 2019 (§74-103, Idaho Code). Additionally, pursuant to §74-102(10), Idaho Code, ITD may have fees associated with this public records request.

Please let us know if you have any questions, comments or concerns. Thank you.

Respectfully,

Ramón S. Hobdey-Sánchez, J.D.
Office of Governmental Affairs
Idaho Transportation Department

208.334.8810 (office)



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From: comments@itd.idaho.gov [mailto:comments@itd.idaho.gov]

Sent: Friday, September 13, 2019 4:25 PM

To: ITD-DIS-PublicRecordsRequest

Subject: Kelley Public Records Request submitted

A citizen has submitted a public records request on 9/13/2019 4:25:14 PM that needs your attention.

We request the following records under the Public Records Act:

- 1. Any manuals, memos, policies or other guidelines that the Department of Transportation or other relevant agency follows for using the FRT system;**
- 2. Formal or informal policies or rules followed by Department of Transportation personnel for running facial recognition searches requested by external entities, including, but not limited to, federal, state or local law enforcement agencies;**
- 3. Any notices, memoranda, or other alerts provided by the Department of Transportation to external agencies about the ability to run or request facial recognition searches against the DMV photo database. This request includes, but is not limited to instructions, request forms, and other materials issued to external agencies regarding requests to conduct a facial recognition search against the DMV photo database;**
- 4. Agreements or memoranda of understanding (MOUs) signed with external entities permitting those entities to run or request facial recognition searches against the DMV photo database.**
- 5. Any records relating to the sharing of biometric information or FRT with the American Association of Motor Vehicle Administrators (AAMVA) or the National Law Enforcement Telecommunications System (NLETS), including, but not limited to, RFPs, responses to RFPs, agreements, contracts, correspondence, reports and invoices.**

We request that where available and appropriate, responsive records are provided electronically in their native format (such as a CSV file), or as text-searchable PDFs, and that the parent/child relationship between records is preserved.

Citizen's information:

Mr. Jason Kelley

Company: Electronic Frontier Foundation

815 Eddy St

San Francisco, CA 94109
(415) 436-9333
jason@eff.org

— Attachments: —

9_13_19 EFF Idaho Public Records Request.pdf	88.1 KB
ITD_FBI MOU (2019).pdf	164 KB
ITD_ISP MOU (May 2004).pdf	62.1 KB