



# Department of Justice

FOR IMMEDIATE RELEASE  
TUESDAY, MARCH 11, 2008  
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AG  
(202) 514-2007  
TDD (202) 514-1888

## **United States and Germany Agree to Share Fingerprint Databases and Information on Known and Suspected Terrorists**

### ***Agreement Initialed by Attorney General Mukasey and Secretary Chertoff***

BERLIN – Officials from the United States and Germany today initialed a bilateral agreement related to sharing access to biometric data and spontaneous sharing of data about known and suspected terrorists. At a bilateral ceremony in Berlin, Attorney General Michael B. Mukasey and Secretary of Homeland Security Michael Chertoff joined the German Interior Minister Wolfgang Schäuble and Justice Minister Brigitte Zypries in initialing the agreement.

The agreement gives the countries mutual access to fingerprint databases for the purpose of determining if evidence in them could be helpful in criminal investigations and prosecutions. It also sets forth procedures for obtaining that evidence through lawful processes, while ensuring that personal data is appropriately protected.

The agreement additionally provides a mechanism for the U.S. and Germany to share information about known and suspected terrorists, allowing the two countries to more readily assist one another in preventing serious threats to public security, including terrorist entry into either country.

"Beyond the important practical value of this agreement, it symbolizes the joint resolve of Germany and the United States to fight terrorism and transnational crime," said Attorney General Mukasey. "The values we share with Germany and our mutual interest in protecting our citizens makes us even more determined to deepen our partnership with Germany. We look forward to implementing this important instrument in a spirit of mutual respect and cooperation."

"I applaud Germany's leadership as we work as an international community to deter and defend against those who seek to do our citizens harm," said Homeland Security Secretary Michael Chertoff. "This agreement builds upon our strong relationship with Germany to protect not only the security, but also the privacy of our citizens. We must work together against a patient and adaptive adversary; in today's world, our enemies are far less concerned with borders than they are with attacking freedom wherever they can."

Under the agreement, the U.S. and Germany can, for the purpose of advancing criminal investigations and prosecutions, query each other's fingerprint databases with unknown prints to determine if the other party has information about the print. If a "hit" is received, the querying party will make a mutual legal assistance request for identifying data, and the use of that data is governed by treaty. If no hit is received, then no information is retained.

Additionally, the agreement contains a spontaneous sharing article that can be used to share biographic and fingerprint information about known and suspected terrorists, as well as information about planned attacks or persons trained to commit terrorist acts. Attorney General Mukasey and Secretary Chertoff were visiting Germany for the initialing ceremony and to hold bilateral meetings with their German counterparts.