

CBP Proposal for Addressing Third Agency Partners

CBP recognizes that several PGA's work closely with partner agencies that include other federal, tribal, state, and local agencies that share a common mission. In an effort to address the routine and regular sharing of information from ACE that may occur or be required to work properly with these partners, CBP proposes to work with interested PGA's to include language similar to the below example taken from the FMCSA—CBP ACE Data MOU:

- 5.1.4 FMCSA agrees that the information obtained from CBP will only be used solely for enforcing FMCSA laws and regulations and will not be disseminated to third parties outside of the FMCSA without the express written permission of CBP.

Appendix F

GLOSSARY

“Third Parties” – Generally, individuals other than the signatory agencies or departments. For the purposes of this agreement, the definition of third parties will exclude those authorized officials performing motor carrier safety activities. These activities include, but are not limited to, access required for: data inspections, investigations, resource allocation and planning, and other law enforcement/ compliance activities.

The intent of the language is to allow a PGA to use existing working relationships with other governmental agencies, that are currently defined by MOU/A, contract, or other written documentation, to consider those other governmental agencies as within the ambit of the PGA for purposes of sharing information. As an analogy, this would be akin to defining “agency” within the PGA's privacy act regulations to include partners in the same manner that contractual employees are included.