

Progress on Policy Development for Public- Facing Biometrics at Port Facilities

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Commission Biometrics Principles Motion (12/10)

- Outlined seven (7) principles for public-facing biometrics at Port facilities: 1) Justified, 2) Voluntary, 3) Private, 4) Equitable, 5) Transparent, 6) Lawful, 7) Ethical
- Directed staff (through an internal working group process) to translate those principles into tangible, enforceable policy recommendations governing the use of public-facing biometric technology at Port facilities by the end of Q1 2020, for Commission passage by Q2 2020
- Put a hold on any new or expanded uses of biometrics at Port facilities until after Commission approves of policy recommendations and adopts policies
- Directed the creation of an external advisory group to provide feedback on proposed working group policy recommendations

Biometrics Working Group

- Matt Breed, Chief Information Officer
- Julie Collins, Director, Customer Experience
- Commander Lisa Drake, Port of Seattle Police Department
- Laurel Dunphy, Director, Airport Operations
- Marie Ellingson, Manager, Cruise Operations
- Eric ffitch, Manager of State Government Relations, External Relations
- Bookda Gheisar, Senior Director, Office of Equity, Diversity and Inclusion
- James Jennings, Director, Airline Relations
- Ron Jimerson, Chief Information Security Officer
- John McLaughlin, Senior Port Counsel
- Anne Purcell, Senior Port Counsel
- Russ Read, Manager, Maritime Security
- Wendy Reiter, Director, Aviation Security
- Kathy Roeder, Director of Communications, External Relations
- Eric Schinfeld, Senior Manager of Federal Government Relations, External Relations
- Deputy Chief Mark Thomas, Port of Seattle Police Department
- Veronica Valdez, Commission Specialist
- Todd VanGerpen, Manager, Aviation Innovation
- Dave Wilson, Director, Aviation Innovation

Biometrics External Advisory Group

- Ian Baigent-Scales, Airport Customer Development Manager - Airport Operations, Virgin Atlantic Airways
- Sasha Bernhard, Legislative Assistant, Office of US Representative Suzan DelBene
- Dana Debel, Managing Director, State and Local Government Affairs, Delta Air Lines
- Adele Fasano, Director, Field Operations, Seattle Field Office, US Customs & Border Protection
- Eric Holzapfel, Deputy Director, Entre Hermanos
- Suzanne Juneau, Executive Director, Puget Sound Business Travel Association
- Scott Kennedy, State and Local Government Affairs Manager, Alaska Airlines
- Jennifer Lee, Technology & Liberty Project Director, ACLU
- Maggie Levay, Director Guest Port Services, Royal Caribbean
- McKenna Lux, Policy Manager, CAIR-WA
- Yazmin Medhi, Outreach Director, Office of US Representative Pramila Jayapal
- Nina Moses, Stakeholder Relations Manager, US Transportation Security Administration
- Irene Plenefisch, Government Affairs Director, Microsoft Corporation
- Sheri Sawyer, Senior Policy Advisor, Office of Washington State Governor Jay Inslee
- Victoria Sipe, Director Shore Operations, Holland America Group
- Rich Stolz, Executive Director, One America
- Elizabeth Tauben, Manager Port Guest Services & Clearance, Norwegian Cruise Line Holdings
- Jennifer Thibodeau, Public Policy Manager - Western States, Amazon Web Services
- Jevin West, Director, Center for an Informed Public, University of Washington

Progress To-Date

1. Working Group and External Advisory Group Established

- Working Group has met four (4) times, with next meeting on 2/28
- External Advisory group has met two (2) times, with next meeting on 3/6

2. Decision to approach policies by use case rather than blanket approach

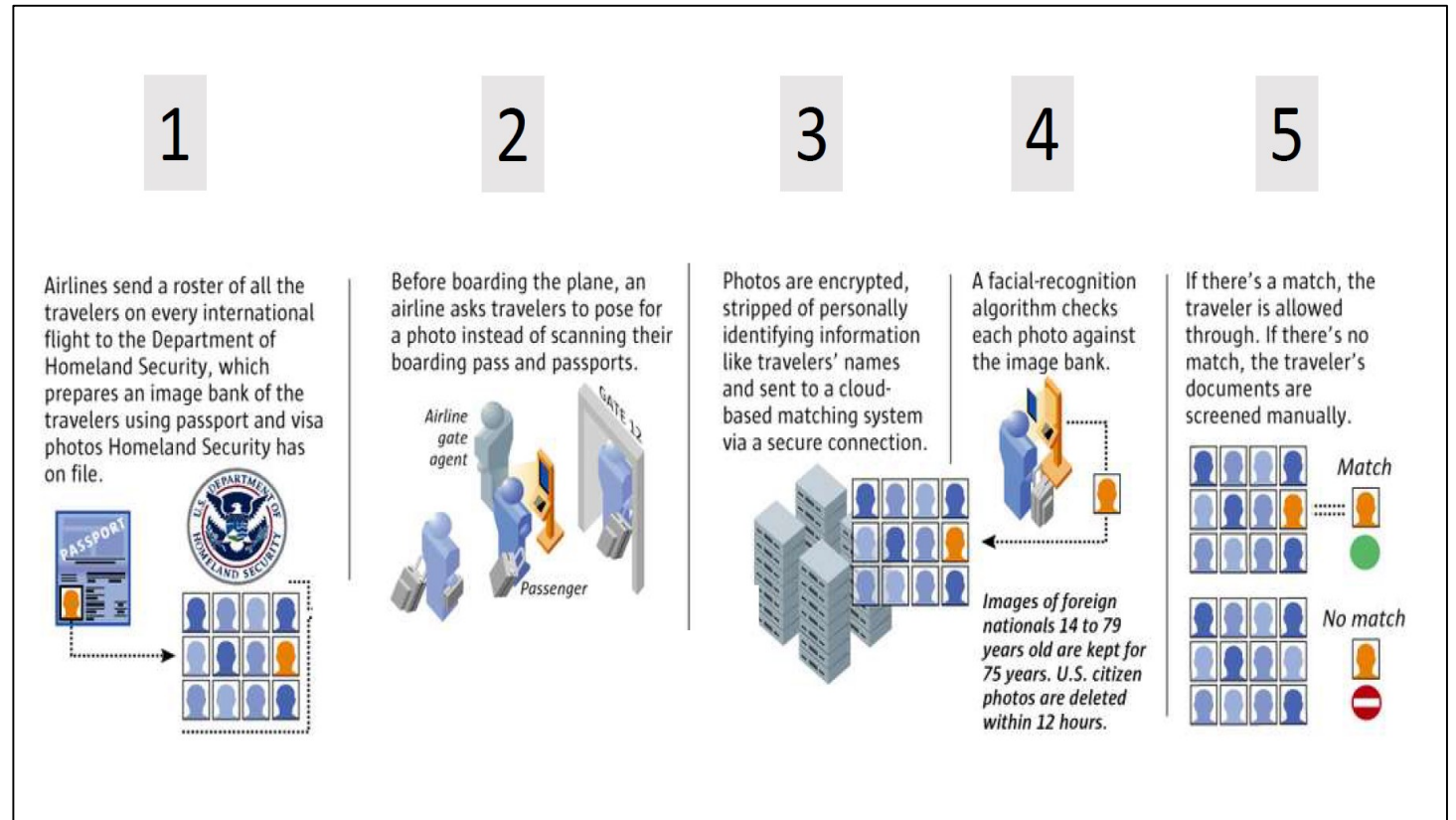
- One unified set of policies is not practical because of key differences, such as who manages the data, requirements imposed by state or federal law, and the benefits and risks associated with each use

3. Draft Policy Recommendations for Biometric Air Exit have been created and initially vetted by External Advisory Group; two other draft policy recommendations drafted but not yet vetted

- Goal is to share those 2 additional use case policy recommendations at the 3/6 External Advisory Group Meeting

What is Biometric Exit?


1. CBP has begun implementing its biometric exit program through its development of the Traveler Verification Service (TVS), a system of related databases hosted by CBP, containing the biometric facial recognition “template” of individuals that are ticketed on international flights, such as from passport or visa application photos.
2. Airports and airlines are not currently mandated to participate in CBP’s biometric air exit program (two dozen airports have already). Authorized users of TVS are required by CBP to comply with a set of business requirements.
3. If an airport or airline does not choose to partner with CBP to implement biometric air exit, CBP has authority to implement the program using its own staff and equipment at any international air departure gate. This is already occurring at SEA on certain departing Lufthansa, Hainan, Emirates and Virgin Atlantic flights.



Biometric Air Exit Policy Recommendations (DRAFT)

	Justified	Private	Equitable	Transparent	Lawful	Ethical	Voluntary
Key Words	Approval	Encryption; Disclosure; Storage	Accurate Rates; Training	Communication Plan & Accountability Report	State & Federal Regulations	Multiple Languages; Culturally Appropriate Engagement Plan; Training	Camera Locations to Prevent Unintended Capture
Port	<p><i>If staff makes request to implement biometric air exit program approval must come from the Aviation Managing Director (AMD) after the AMD has notified the Port Executive Director and Port Commission.</i></p> <p><i>If request requires Commission authorization, memo to Commission must explain alignment with Biometric Principles.</i></p> <p><i>If procurement process is required, request information on alignment with Biometric principles.</i></p> <p>If a common use system is implemented, it must be used by all airlines</p>	<p><i>If/when data is transmitted between the Port and CBP it must:</i></p> <p>a) occur over an encrypted connection;</p> <p>b) be exempt from state public discourse requirements so as to protect release of personally identifying information;</p> <p>c) be immediately deleted once complete; and</p> <p>d) be used for no other purpose</p> <p><i>If procurement process is required, request information on alignment with privacy protections.</i></p>	<p>Port to review and compare CBP accuracy rates before approval of any Port-requested biometric air exit program</p> <p>Port should develop training standards for handling facial recognition mismatching issues appropriately</p> <p><i>If procurement process is required, request information on alignment with equity protections</i></p>	<p>If port <i>approves</i> biometric air exit program implementation...</p> <p>it will produce:</p> <p>a) a comprehensive communication plan;</p> <p>b) an accountability report</p> <p>each of which should be shared publicly through all Port communication channels. Each report should include all available information released by CBP.</p> <p><i>If procurement process is required, request information on alignment with transparency protections</i></p>	<p>Port staff should actively track and advocate for state and federal biometric regulations</p>	<p><i>If port approves</i> biometric air exit program implementation...</p> <p>It will work with relevant partners to engage local immigrant and refugee communities in multiple languages and in a culturally appropriate manner such that they can:</p> <p>a) be fully informed</p> <p>b) share concerns about incidents through a direct customer service procedure</p> <p>The Port should create a Technology Ethics Advisory Board.</p>	<p><i>If port approves</i> biometric air exit program implementation...</p> <p>The port should set standards for where and how facial recognition cameras at international departure gates to prevent unintended image capture and will train staff on procedures.</p> <p><i>If procurement process is required, request information on ways the vendor can help avoid unintended image capture</i></p>
Private Sector Airlines	<p><i>If airline makes request to implement biometric air exit program, approval must come from the Aviation Managing Director after the AMD has notified the Port ED and Port Commission with an explanation how the proposed implementation aligns with all relevant principles.</i></p>	<p><i>If/when data is transmitted between an airline and CBP it must:</i></p> <p>a) occur over an encrypted connection</p> <p>b) be immediately deleted once complete</p> <p>c) not be used for any other purpose</p>	<p>Port to review and compare CBP accuracy rates before approval of any airline-requested biometric air exit program</p> <p>All airline employees operating a biometric air exit program must be trained on facial recognition limitations, how to deal with inaccuracies, and cultural sensitivity</p>	<p>If port approves biometric air exit program implementation, airlines should cooperate with the Port on communications and accountability reports.</p>	<p>Airlines should engage with port in tracking and advocating state and federal biometric regulations</p>	<p>Airlines should work with the Port to educate local immigrant and refugee communities</p>	<p><i>If port approves</i> biometric air exit program implementation, airline staff should receive training to prevent unintended capture and comply with Port standards</p>
Federal Activities	<p>The port does not have jurisdiction to approve or reject CBP decisions regarding biometric air exit implementation.</p>	<p>The port does not have jurisdiction over CBP's privacy policies or procedures.</p>	<p>The port does not have jurisdiction over CBP accuracy algorithm.</p>	<p>The port does not have jurisdiction to require CBP to share information.</p>	<p>CBP is subject to federal laws and regulations</p>	<p>The port does not have jurisdiction to require CBP compliance</p>	<p>CBP policy states that legal U.S. residents are allowed to opt-out of biometric screening</p>

Next Steps

- 1. Continued vetting of additional draft use case policies with working group and external advisory group members**
 - Biometric Air and Cruise Entry (*drafted, not yet vetted*)
 - Non-Federal Biometric Passenger Processing (*drafted, not yet vetted*)
 - Biometrics for Customer Functions
 - Biometrics for Law Enforcement and Security Functions
- 2. Continue to engage Commission Biometrics Special Committee to gain feedback on vetted policy recommendations**
- 3. Engage additional community members through various outreach and communications channels**
- 4. Complete all policy recommendations by March 31 deadline** 

Questions?