

PUBLIC-FACING BIOMETRICS AT PORT FACILITIES

External Advisory Group

Meeting #2

Friday, February 7, 2020

Today's Agenda

- Welcome & introductions
- Purpose, roles, and ground rules
- Basics of *Biometric Air Exit* (use case)
- Review, discussion, and feedback on *Biometric Air Exit* recommendations
- Next steps
- Adjourn

Welcome & Introductions

Roster

Adele Fasano	US Customs and Border Protection
Dana Debel	Delta Air Lines
Elizabeth Tauben	Norwegian Cruise Line Holdings (Norwegian Cruise Line & Oceania Cruises)
Eric Holzapfel	Entre Hermanos
Jennifer Lee	ACLU
Jennifer Thibodeau	Amazon Web Services
McKenna Lux	CAIR-WA
Ian Balgent-Scales	Virgin Atlantic Airways
Irene Plenefisch	Microsoft Corporation
Jevin West	University of Washington
Russell Benford	Royal Caribbean (Royal Caribbean & Celebrity Cruises)
Nina Moses	US Transportation Security Administration
Rich Stolz	One America
Sasha Bernhard	Office of US Rep Suzan DelBene
Scott Kennedy	Alaska Airlines
Sheri Sawyer	Office of Washington State Governor Jay Inslee
Suzanne Juneau	Puget Sound Business Travel Association
Victoria Sipe	Holland America Group (Holland, Princess & Seabourn)
Yazmin Medhl	Office of US Rep Pramila Jayapal

Purpose, Roles, Ground Rules

Purpose of Internal Working Group

- To **deliver policy recommendations** governing the use of public-facing biometric technology at Port facilities that balance:
 - Operational needs
 - Business priorities
 - Regulatory mandates
 - Protections for interests and rights of passengers, employees, and visitors to Port facilities
- Due to Commission by the end of 2nd Quarter 2020

Role of External Advisory Group

- To **advise and guide** the *Internal Working Group's* development of policies to govern public-facing biometric technology in Port operations.

Role of External Advisory Group

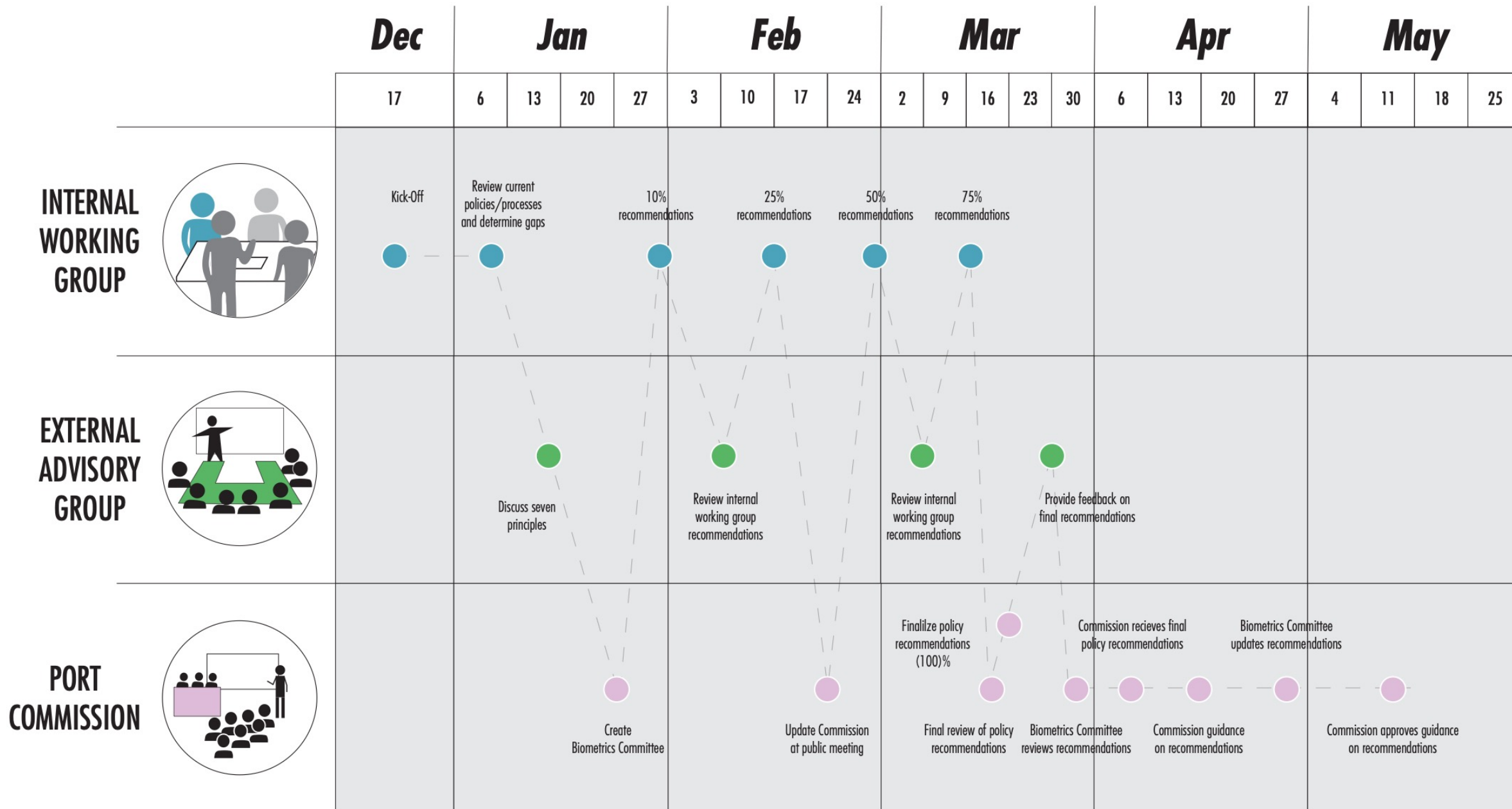
- To **advise and guide** the *Internal Working Group*'s development of policies to govern public-facing biometric technology in Port operations.

Note:

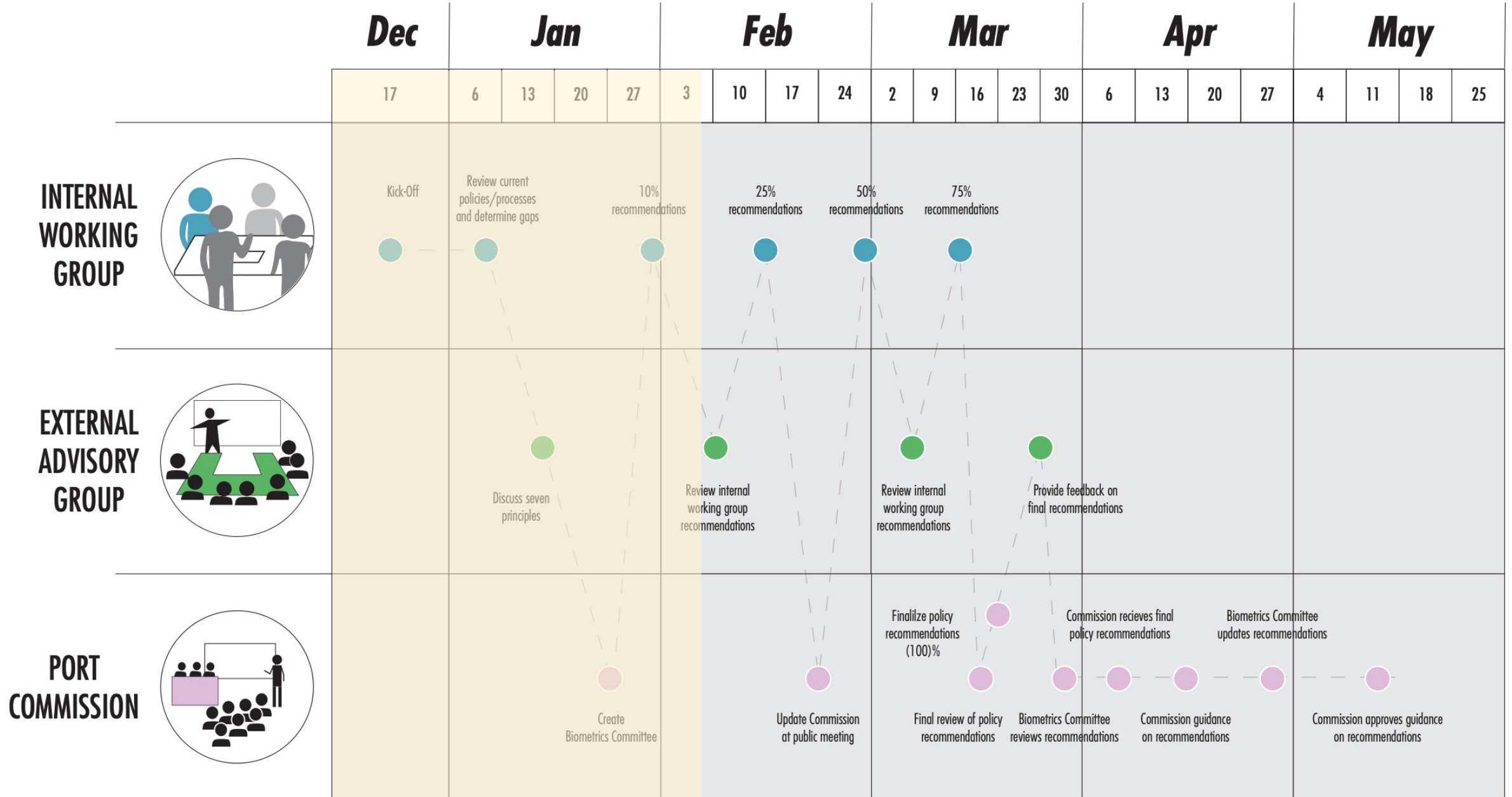
The Port does not strive for, nor expect, consensus as an outcome of this process.

The goal is to communicate various viewpoints and a range of options to the *Internal Working Group* and *Port Commission*.

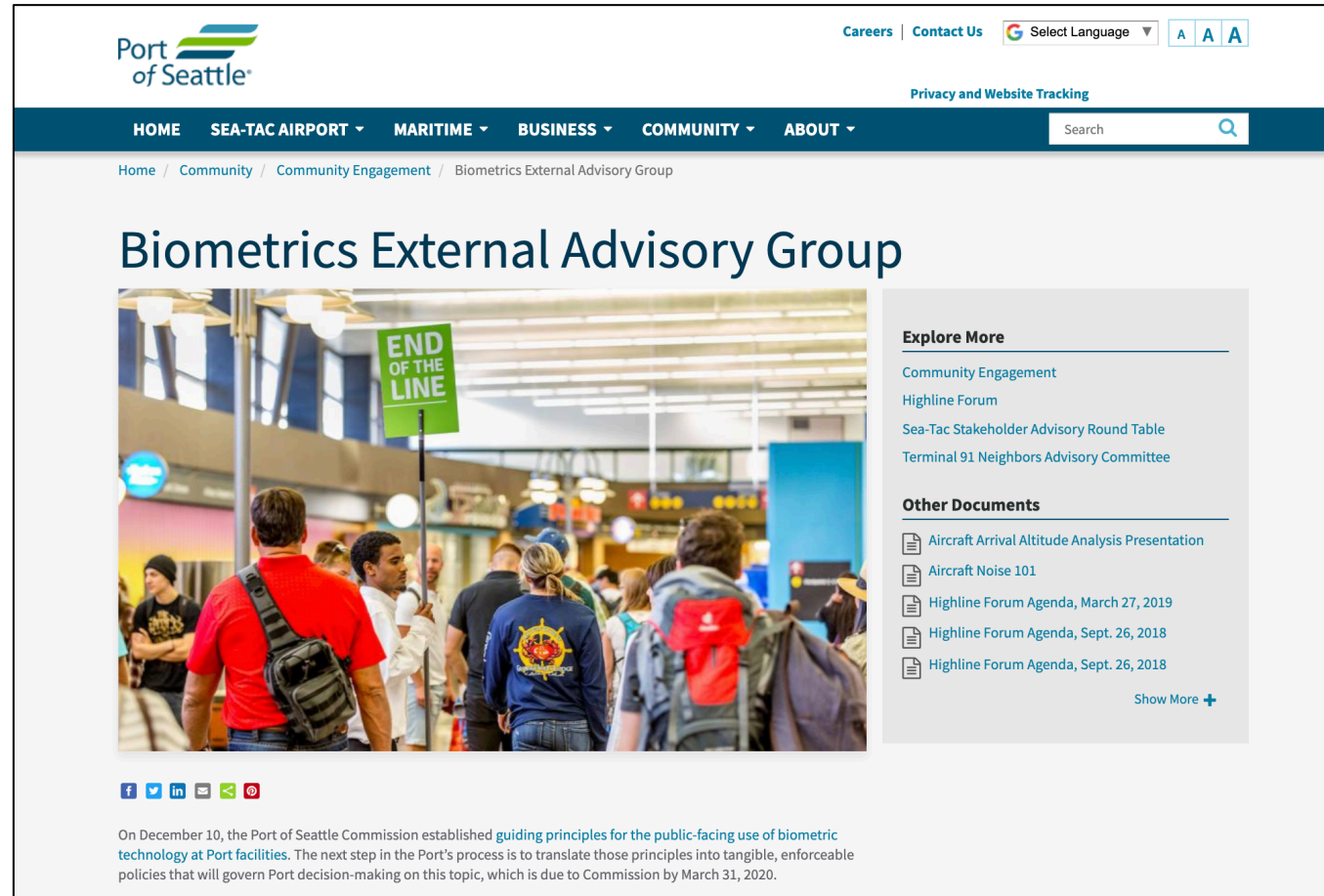
PORT BIOMETRIC POLICY TIMELINE



PORT BIOMETRIC POLICY TIMELINE



Advisory Group Website



portseattle.org/page/biometrics-external-advisory-group

Ground Rules (informed by interviews)

- Respect others' opinions
- Speak honestly
- Strive for equitable process
- Amplify the voices of marginalized groups
- Acknowledge organizational interests
- Ask questions for clarification
- Focus on sound & specific policy recommendations
- Focus on forward movement
- Avoid acronyms and jargon
- Avoid "tech-splaining"
- Track commitments & next steps
- Accept hands-on facilitation

Use Case: Biometric Air Exit

Port of Seattle staff

Biometric Air Exit Process

1

Airlines send a roster of all the travelers on every international flight to the Department of Homeland Security, which prepares an image bank of the travelers using passport and visa photos Homeland Security has on file.



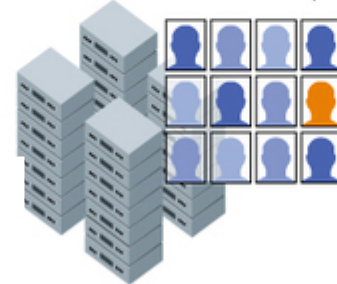
2

Before boarding the plane, an airline asks travelers to pose for a photo instead of scanning their boarding pass and passports.



3

Photos are encrypted, stripped of personally identifying information like travelers' names and sent to a cloud-based matching system via a secure connection.



4

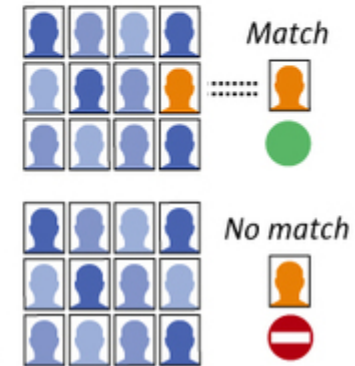
A facial-recognition algorithm checks each photo against the image bank.



Images of foreign nationals 14 to 79 years old are kept for 75 years. U.S. citizen photos are deleted within 12 hours.

5

If there's a match, the traveler is allowed through. If there's no match, the traveler's documents are screened manually.



Biometric Air Exit Policy Recommendations

Drafted by the Port of Seattle Internal Working Group



7 Public-Facing Biometrics Guiding Principles

Justified	Should be used only for a clear and intended purpose and not for surveillance on large groups without a lawful purpose.
Private	Should be stored for no longer than required by applicable law or regulations and should be protected against unauthorized access.
Equitable	Should be reasonably accurate in identifying people of all backgrounds, and systems should be in place to treat mismatching issues.
Transparent	Should be communicated to visitors and travelers.
Lawful	Should comply with all laws, including privacy laws and laws prohibiting discrimination.
Ethical	Should act ethically when deploying technology or handling biometric data.
Voluntary	Should be voluntary and reasonable alternatives should be provided for those who do not wish to participate through an opt-in or opt-out process.

Biometric Air Exit: The use of facial recognition to confirm the identities of departing international airline passengers

Note: The Port has broad authority to establish policies that govern the activities of Port staff and the use of Port resources, to the extent such policies are consistent with federal law. Airlines operating at Port facilities are also subject to the Port's policies, consistent with their own federal obligations and the terms of their agreements with the Port – such as lease agreements or operating agreements with the Port, which varies on a case-by-case basis. The Port has very limited authority to influence, much less direct, the activities of federal agencies operating at Port facilities.

	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><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) receive clarification to be exempt from state public discourse requirements so as to protect release of personally identifying information;</p> <p>c) be immediately deleted in accordance with CBP's requirements; 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 regarding how vendor equipment and services enhance accuracy levels</i></p>	<p>If port <i>approves</i> biometric air exit program implementation...</p> <p>it should 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 should 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><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 should 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 in accordance with CBP requirements</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>
Feedback	<p>These recommendations:</p> <p><input type="checkbox"/> Do not go far enough</p> <p><input type="checkbox"/> Are satisfactory</p> <p><input type="checkbox"/> Go too far</p> <p>Comments:</p>	<p>These recommendations:</p> <p><input type="checkbox"/> Do not go far enough</p> <p><input type="checkbox"/> Are satisfactory</p> <p><input type="checkbox"/> Go too far</p> <p>Comments:</p>	<p>These recommendations:</p> <p><input type="checkbox"/> Do not go far enough</p> <p><input type="checkbox"/> Are satisfactory</p> <p><input type="checkbox"/> Go too far</p> <p>Comments:</p>	<p>These recommendations:</p> <p><input type="checkbox"/> Do not go far enough</p> <p><input type="checkbox"/> Are satisfactory</p> <p><input type="checkbox"/> Go too far</p> <p>Comments:</p>	<p>These recommendations:</p> <p><input type="checkbox"/> Do not go far enough</p> <p><input type="checkbox"/> Are satisfactory</p> <p><input type="checkbox"/> Go too far</p> <p>Comments:</p>	<p>These recommendations:</p> <p><input type="checkbox"/> Do not go far enough</p> <p><input type="checkbox"/> Are satisfactory</p> <p><input type="checkbox"/> Go too far</p> <p>Comments:</p>	<p>These recommendations:</p> <p><input type="checkbox"/> Do not go far enough</p> <p><input type="checkbox"/> Are satisfactory</p> <p><input type="checkbox"/> Go too far</p> <p>Comments:</p>

Discussion and Feedback

Considering your constituents, indicate the extent to which the Biometric Air Exit recommendations align with the principles.

These recommendations:

- ☐ Do not go far enough
- ☐ Are satisfactory
- ☐ Go too far

Discussion and Feedback

	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

Next Steps

Next Steps

- Internal Work Group meets on February 13 to develop 25% recommendations
- Internal Work Group meets on February 28 to develop 50% recommendations
- **External Work Group meets on March 6 to review 50% recommendations**