### Non-Federal Biometric Passenger Processing: Any proposed use of biometrics for passenger processing other than those required by the federal government

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<tr>
<th>Key Words</th>
<th>Approval; Operational Need; Net Benefit Cost</th>
<th>Opt-in; Unintended Capture; Training</th>
<th>Security; Privacy; Storage</th>
<th>Accurate Rates; Training</th>
<th>Communication Plan &amp; Accountability Report; Performance Evaluation</th>
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<td>Port</td>
<td>The port should not approve proposals that do not include an opt-in (not opt-out) provision.</td>
<td>The port should set standards for where and how biometrics are used at Port facilities to prevent unintended capture and should train staff on procedures.</td>
<td>The port should develop biometric data security and privacy standards (based on existing national and global standards) for compliance by all private sector operators requiring that: a) any data collected should be used only for the explicitly communicated purposes; &amp; b) unauthorized third parties may not have access to the data.</td>
<td>If port approves implementation of any non-federally mandated biometrics for passenger processing, then… The Port should: a) develop training standards for administering the technology and include how to handle mismatching issues appropriately; b) request CBP accuracy rates before approval of any non-federally mandated use of biometrics for passenger processing which would use CBP TVS’s system.</td>
<td>If port approves implementation of any non-federally mandated biometrics for passenger processing, then… The Port should: a) comprehensive communication plan to notify general public of implementation, including rights and recourse in case of violations and/or data breaches; b) an annual accountability report including publicly available information on topics which can be found listed under recommendation 16a in the draft policy recommendation document each of which should be shared publicly through all Port communication channels.</td>
<td>Port must ensure that any proposals to implement non-federally mandated biometrics for passenger processing comply with all relevant state and federal laws.</td>
<td>If port approves implementation of any non-federally mandated biometrics for passenger processing, then… The Port should: a) set standards. b) track and advocate for state and federal laws and regulations.</td>
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**Private Sector Operators**

| If a private sector operator using proprietary database and algorithm, proposes to implement non-federally mandated biometrics for passenger processing, then… The proposal must: a) explicitly articulate compliance of biometric principles and all policies in this document b) explicitly state why biometrics are preferable over existing manual processes c) provide a cost-benefit analysis of utilizing biometrics | If a private sector operator using a proprietary database and algorithm, proposes to implement non-federally mandated biometrics for passenger processing, then… The operator must: a) demonstrate full alignment with the Port’s biometric data security and privacy standards; b) make available a technical capability (like an API) to allow legitimate, independent and reasonable tests for accuracy and unfair performance c) verify that their employee training for operating biometrics meets the Port’s training standards. | If a private sector operator using a proprietary database and algorithm, proposes to implement non-federally mandated biometrics for passenger processing, then… The operator must: a) demonstrate full alignment with all of the Port’s Air Security Program rules and requirements. | If a private sector operator using a proprietary database and algorithm, proposes to implement non-federally mandated biometrics for passenger processing, then… The operator should: a) partner with the Port on implementation of the Port communications plan b) share with the Port to the extent possible all requested information for inclusion into the accountability report c) share publicly, to the extent possible, the Port’s annual accountability report through relevant communications channels. | If a private sector operator using a proprietary database and algorithm, proposes to implement non-federally mandated biometrics for passenger processing, then… The operator should: a) partner with the Port to inform local immigrant and refugee communities in multiple languages and culturally appropriate ways about: b) require commitment from private sector operators not to disclose personal data to a law enforcement agency unless the disclosure is: c) form and regularly consult a Technology Ethical Advisory Board composed of community stakeholders, academics, technology experts and other key stakeholders. |

**Immigrant and Refugee Engagement Plan, Law Enforcement Disclosure Mitigation, Technology Ethical Advisory Board**

- a) The AMD or MMD has notified the Port Executive Director and Port Commission (3) weeks in advance of any intention (of) private sector operators to implement the technology and include how to handle mismatching issues appropriately.
- b) The operator must demonstrate full alignment with the Port’s biometric data security and privacy standards.
- c) The operator should: a) partner with the Port on implementation of the Port communications plan b) share with the Port to the extent possible all requested information for inclusion into the accountability report c) share publicly, to the extent possible, the Port’s annual accountability report through relevant communications channels.
- d) The Port should: a) communicate all added customer facilitation requirements.
- e) The Port should endeavor to seek clarification from the State of Washington Attorney General whether the technology and include how to handle mismatching issues appropriately.
- f) The Port should produce: a) an annual accountability report including publicly available information on topics which can be found listed under recommendation 16a in the draft policy recommendation document each of which should be shared publicly through all Port communication channels. b) their employee training.
- g) The Port should: a) develop training standards for administering the technology and include how to handle mismatching issues appropriately.
- h) The Port should: a) comprehensive communication plan to notify general public of implementation, including rights and recourse in case of violations and/or data breaches.
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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. Private sector stakeholders operating at Port facilities (such as airlines) 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.

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**Airlines (CBP Traveler Verification System)**

If an airline proposes to implement non-federally mandated biometrics for passenger processing using the CBP Traveler Verification Service (TVS) system, then...

The airline must:

a) show documentation that the proposed process has been approved by CBP and is in compliance with CBP’s requirements

b) demonstrate that their employees have received training on Port standards for avoiding unintended capture

If an airline proposes to implement non-federally mandated biometrics for passenger processing, then...

The airline must:

a) meet all of CBP’s encryption and security standards;

b) delete biometric data in accordance with CBP’s Biometric Requirements;

c) not give unauthorized third parties access to any data as stated in the CBP Requirements

If an airline using CBP’s TVS system proposes to implement non-federally mandated biometrics for passenger processing, then...

The airline must:

a) show documentation of compliance with CBP’s Business Requirements

Feedback

Comments:

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