

Biometric Technology External Advisory Group Meeting #3 Summary Friday March 6, 2020 12:30 PM – 2:30 PM

The third biometric technology external advisory group meeting took place at the Port of Seattle on March 6, 2020. The purpose of this meeting was for the group to discuss a summary of revisions to the Biometric Air Exit draft policy recommendations and to review a set of policy recommendations for Non-Federally Mandated Biometrics for Passenger Processing use case created by the Port of Seattle's Biometric internal working group. A list of attendees is below.

Attendance

Name	Organization
Clay ? (name needed)	US Customs and Border Protection
Eric Holzapfel	Entre Hermanos
Javon Hutson	University of Washington
Jason Hausner	Delta Airlines
Jennifer Lee	ACLU
McKenna Lux	CAIR-WA
Nina Moses	US Transportation Security Administration
Rich Stolz	One America
Scott Kennedy	Alaska Airlines
Yazmin Medhi	Office of US Representative Pramila Jayapal
Jevin West	University of Washington
Savannah Sly	ACLU
Dana Debel	Delta Air Lines
	US Customs and Border Protection
Scott Ingham	Delta Air Lines
Tony Gonchar	Delta Air Lines

Update on Port Biometric Policy Process

Given the change in approach to develop public-facing biometric policy recommendations as *separated by use case*, the Port has granted an extension of two months to develop recommendations. There will be up to four additional external advisory group meetings scheduled in April and May.

The group provided the following suggestions to the external advisory group process:

- The port should improve public awareness of the biometrics process
- The port should provide an optional group “walk-through” exercise at a Port facility to better understand the application of public-facing biometrics

Biometric Air Exit Revisions

In the previous external advisory group meeting, the group provided feedback to a draft set of recommendations for the Biometric Air Exit use case. In this meeting the group reviewed a summary of revisions made by the Port's Internal Working Group and provided additional feedback in person and by email. (Checkmarks next to statements represent similar or repeated sentiments).

- Regarding the "Justified" principle, "operational benefit" is more appropriate than "operational need" (✓)
 - Different costs for different groups (e.g. People of color/immigrant travelers and airline efficiencies) (✓✓)
 - "Psychological costs"
- Clarify if opt-out is a federal requirement?
- Recommendations should outline what would happen if the Port does *not* pursue biometric policies
- It is unclear if there are existing Customs and Border Protection or airline mechanisms to address a potential data breach

Sr. Government Affairs Staff Eric Schinfeld will make the corresponding edits and send the updated recommendations to the group on 3/9.

Non-Federally Mandated Biometrics for Passenger Processing Introduction

Defined as: "any proposed use of biometrics for passenger processing other than those required by the federal government". Port of Seattle staff explained the use of non-federally mandated biometrics and responded to questions from the group.

Non-Federally Mandated Biometrics for Passenger Processing Recommendations

In advance of the meeting, the group received a set of draft biometric air exit policy recommendations organized by the seven guiding principles. Additionally, the group also received a consolidated "worksheet" meant to capture key words, jurisdiction, and language found in the full document.

The group reviewed the respective policy recommendations and identified priorities for discussion. The following is a summarizes feedback on the draft recommendations made in person and by email.

JUSTIFIED
Key Words: Approval; Operational Need; Net Benefit-Cost
<ul style="list-style-type: none">• Need to confirm what authority the Aviation Managing Director has over private sector vendors and airlines if a request is denied

VOLUNTARY

Key Words: Opt-in; Unintended Capture; Training

- Opt-in option gives every traveler a choice
- Clarify if Port will set "opt-in" standards/definition
 - If not, private operators should provide standards in request plan
- Explain redress for unintended capture
- Comprehensive training should be reviewed and authorized by all parties to minimize risks to the consumer

- What to do regarding cruise embarkation & disembarkation not at port facilities, when does the port lose its authority?
- Port confirmed there will be no grandfathering-in of existing systems once the policies are approved
 - Will there be a suspension period?
- Would justification to use facial recognition still exist if opt-out rates were high enough to create inefficiencies?
 - Customs and Border Protection would have to review in this circumstance

PRIVATE

Key Words: Security; Privacy; Storage

- Identify international best practices regarding data privacy standards

EQUITABLE

Key Words: Accurate Rates; Training

- Identify comprehensive list of "various characteristics" as stated in recommendation 13
 - To require ground truth data about demographic differences is crucial to accurately represent and uphold the principle
 - Concern over the National Institute of Standards and Technology (NIST) demographics report. Port could ask NIST to provide more clarity about what their results might mean for a particular use case and with high quality algorithms.
- Recommendation 14 regarding private sector operator's agreement to make available technical abilities for independent testing is too broad (√√)
 - "enhance...accuracy levels" relative to what? "to the extent possible is open to interpretation
 - There should be clearer restrictions over proprietary systems (√)

TRANSPARENT

Key Words: Communication Plan & Accountability Report; Performance Evaluation

- Involved neutral third party in accountability report
- Port should compile communication plan regardless if biometrics application for passenger processing is approved or not
- What are the consequences for failure of the Port's performance evaluation?
- Clarified: The goal of the survey is to measure the effectiveness of Port's actions on upholding policies

LAWFUL

Key Words: State & Federal Regulations

- Port should continue to track State legislative bill SB6280* Concerning the use of facial recognition services

The image below is of the notes taken during the exercise with the External Advisory Group.

