

The Identity Project

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October 4, 2019

U.S. Customs and Border Protection
FOIA Division
90 K Street, NE
Washington, DC 20229

via Web form at <<https://foiaonline.gov/foiaonline/action/public/request>>

FOIA Request

Fee benefit requested

Fee waiver requested

Dear FOIA Officer:

This is a request pursuant to the Freedom of Information Act, 5 U.S.C. § 552.

According to and announcement for the “Future Travel Experience Global 2019” conference which was held in Las Vegas, NV, on September 4-6, 2019, as posted at <<https://www.futuretravelexperience.com/fte-global/on-the-ground-conference/>>, “FTE Global 2019 will be complemented by [a] US CBP workshop, at which experts from US CBP and guest speakers will lead in-depth technical sessions in an interactive environment on the best approaches to rolling out a biometrics programme.” Mike Hardin, Director of Policy, Entry/Exit Transformation, U.S. Customs and Border Protection Agency, was announced as one of the featured speakers at this session.

According to the same Web page, FTE Global 2019 also included a “Biometrics Summit” including a joint presentation by speakers including Mr. Hardin, “How did Delta, US CBP, TSA and NEC team-up to launch the first biometric terminal in the US at the world’s busiest airport as a blueprint for the industry, and what can they share from their learning and operating experiences along the way?”

We request access to and copies of any records of “FTE Global 2019” sessions in which Mr. Hardin and/or any other CBP employee or representative participated, including any PowerPoint or similar presentation files (including all annotations and speaking notes), slides, notes, transcripts, audio or video recordings, and any materials distributed by or on behalf of CBP at the conference in printed and/or digital formats.

We request that all responsive records be provided in text-searchable electronic form, and that each responsive digital record be produced in the form of a discrete file, so that there is a one-to-one correspondence between the files produced in response to this request and the files as found in their native format as currently held by CBP.

With respect to any records held in electronic form, we request that they be provided in the original electronic form in which they are held, as complete bitwise digital copies of the original presentation files, word processing files, or other electronic files, including any file headers, embedded metadata, and all other file content.

we request that any PDF files be produced in text-searchable form. We request that image files not be substituted for responsive digital records of e-mail messages, word processing files, spreadsheets, presentations, or other digital files containing text.

As representatives of the news media we are only required to pay for the direct cost of duplication after the first 100 pages. Since most if not all of the responsive records are electronic files, not documents, and do not consist of paper pages, we expect that actual costs of electronic duplication will be negligible. Through this request, we are gathering information on CBP plans, practices, and partnerships with other entities that is of current interest to the public as part of widespread public interest in use of facial recognition and other biometric identification in relation to air travel by common carrier.

This information is being sought on behalf of The Identity Project (“IDP”). IDP is a program of the First Amendment Project, a nonprofit organization providing legal and educational resources dedicated to protecting and promoting First Amendment rights.

This information will be made available to the public. The principal activity of IDP is publication of the informational and educational Web site at <<http://www.papersPlease.org>>, where we have published documents obtained in response to our previous FOIA requests and reports on CBP policies and practices.

Most recently, we reported on planned CBP participation the upcoming FTE Global 2019 conference at <<https://papersplease.org/wp/2019/08/28/public-private->

partnerships-for-travel-surveillance/>.

Please waive any applicable fees. Release of the information is in the public interest because it will contribute significantly to public understanding of government operations and activities. The records we are requesting clearly relate to government operations and activities. It is in the public interest for the public to know what CBP plans to do and how CBP is collaborating with other public and private entities.

If our request is denied in whole or part, we ask that you justify all deletions by reference to specific exemptions. We will also expect you to release all segregable portions of otherwise exempt material. We, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees. Please respond as soon as possible to confirm your receipt of this request. We look forward to your complete reply within 20 business days, as the FOIA statute requires.

Sincerely,

Edward Hasbrouck
Consultant on travel-related civil liberties issues
The Identity Project (PapersPlease.org)