



## **Port of Seattle Commission**

# **Welcoming Port Policy Directive**

**As Adopted  
May 8, 2018**

*Document last updated December 18, 2019*

## **SECTION 1. Purpose.**

A. The purpose of this policy directive is to reaffirm the Port of Seattle’s commitment to the safety, inclusion, and engagement of immigrants, refugees, and international visitors who interact with our facilities or services. The port has an essential obligation to foster a culture and environment that make it possible for our region to remain a vibrant and welcoming global gateway where our immigrant communities, refugee residents, and foreign visitors can fully participate in and be integrated into the social, civic, and economic fabric of our region. *(Res. 3747, §1, 2018)*

B. Nothing in this policy directive should be construed as an intent to alter the operational partnerships we have with our federal partners – including the many Department of Homeland Security (DHS) personnel like Customs and Border Protection and the Transportation Security Administration who help our facilities function efficiently and keep them safe – or to impede the work of those personnel at our facilities. However, we strongly believe that the port can be safe, secure, and comply with all federal law, while simultaneously being welcoming, accessible to all, and supportive of those immigrants, refugees, and foreign visitors who use our facilities. *(Res. 3747, §1, 2018)*

## **SECTION 2. Definitions.**

When used in this policy directive, the following words and phrases shall have the meanings given below unless the context clearly indicates otherwise:

“Administrative warrant” means a noncriminal immigration warrant of arrest, order to detain or release aliens, notice of custody determination, notice to appear, removal order, warrant of removal, or any other document, issued by Immigration and Customs Enforcement (ICE), Customs and Border Protection (CBP), or U.S. Citizenship and Immigration Services (USCIS) that can form the basis for a person’s arrest or detention for a civil immigration enforcement purpose. ICE administrative warrant forms include the U.S. DHS form I-200 (Rev. 09/16) “Warrant for Arrest of Alien” and Form I-205 “Warrant of Removal/Deportation,” as well as predecessor and successor versions. “Administrative warrant” does not include any criminal warrants issued upon a judicial determination of probable cause and in compliance with the Fourth Amendment to the United States Constitution.

“Citizenship or immigration status” means a person’s recorded citizenship or immigration status, as such status is defined in the Immigration and Nationality Act, at the time an agent or agency receives the information.

“Civil immigration enforcement operation” means an operation that has as one of its objectives the identification or apprehension of a person or persons in order to investigate them for a violation of the immigration laws and subject them to one or more of the following:

1. Civil immigration detention;
2. Removal proceedings; or
3. Removal from the United States.

“Immigration detainer” means a request by ICE to a federal, state, or local law enforcement agency, such as the King County department of adult and juvenile detention, to provide notice of release or maintain custody of a person based on an alleged violation of a civil immigration law. “Immigration detainer” includes a detainer issued under Sections 236 or 287 of the Immigration and Nationality Act or 287.7 or 236.1 of Title 8 of the Code of Federal Regulations. “Immigration detainer” includes a detainer issued under DHS form I-274A entitled Immigration Detainer – Notice of Action, as well as predecessor and successor versions.

“Interpretation” means the transfer of an oral communication from one language to another.

“Limited-English-proficient” means a person who does not speak English as the person’s primary language, who has a limited ability to read, speak, write, or understand English.

“Personal information” means one or more of the following, when the information is linked with or is reasonably linkable, including via analytic technology, to the person’s first name or first initial and last name: 1) home address; 2) work address; 3) telephone number; 4) electronic mail address; 5) social media handle or other identifying social media information; 6) any other means of contacting a person; 7) social security number; 8) driver’s license number or Washington identification card number; 9) bank account number or credit or debit card number; 10) information or data collected through the use or operation of an automated license plate recognition system; and 11) user name that, in combination with a password or security question and answer, would permit access to an online account.

“Translation” means the transfer of a written communication from one language to another while preserving the intent and essential meaning of the original text.

*(Res. 3747, §1, 2018)*

### **SECTION 3. Scope and Applicability.**

A. This policy directive pertains to activities of Port of Seattle employees. Nothing in this directive shall be interpreted to prohibit port employees from engaging productively with our federal partners in the normal course of port-related business, including participating in cross-designation or task-force activities with local or federal law enforcement authorities for criminal law enforcement. *(Res. 3747, §1, 2018)*

B. This policy directive is intended to be consistent with federal laws regarding communications between local jurisdictions and federal immigration authorities, including but not limited to United States Code Title 8, Section 1373. *(Res. 3747, §1, 2018)*

### **SECTION 4. Responsibilities.**

A. The Executive Director shall cause the policies and procedures in use by employees of the Port of Seattle to be made consistent with the principles of this policy directive and to

promulgate such additional policies and procedures as may be needed to operationalize the intent of this policy directive. *(Res. 3747, §1, 2018)*

B. The Executive Director shall ensure that port employees are appropriately informed and trained on the provisions of these policies on a regular basis to ensure compliance with both the substance and intention of this document. *(Res. 3747, §1, 2018)*

## **SECTION 5. Policy.**

A. Unless required by local, state, or federal law, or international treaty, all applications, questionnaires, and interview forms used in relation to the provision of port opportunities or services shall not include required disclosure of information related to place of birth, citizenship, or immigration status. Unless otherwise required, the port shall only collect this data in a manner that separates it from personally identifying information. *(Res. 3747, §1, 2018)*

B. To ensure that everyone who engages with the port feels welcome, the port will strive to provide free interpretation and translation services for the most prevalent languages spoken in our region, based on an annual review of the top six languages identified by the King County demographer. When a limited-English-proficient (LEP) person who speaks one of those six languages seeks or receives services, the port shall make reasonable efforts to provide prompt interpretation services in all interactions with the person, whether the interaction is done remotely or in person. In addition, the port will continue to meet all Federal Aviation Administration (FAA) and other federal requirements that ensure that LEP individuals have meaningful access to our services. Where an application or form administered by the port requires completion in English by a limited-English-proficient person, the port shall make reasonable efforts to provide oral interpretation of the application or form, as well as acknowledgment by the limited-English-proficient person that the form was translated and completed by an interpreter. The port shall develop language assistance plans that identify which of its vital documents and public communication materials need to be translated. The plans should also include identification of plans for providing translation of webpages, automated telephonic greetings, automated telephonic voice messages, and informational signage. *(Res. 3747, §1, 2018)*

C. The port will continue to ensure that all employees – including port law enforcement officers – are committed to welcoming and respectful treatment of immigrants, refugees, and foreign visitors – including not initiating police action based solely on an individual’s place of birth, citizenship, or immigration status, or using stops for minor offenses or requests for voluntary information as a pretext for discovering a person’s immigration status. Furthermore, no port employee shall expend time, money, or other resources on facilitating the civil enforcement of federal immigration law or participating in civil immigration enforcement operations, except where state or federal law, regulation, or court order shall so require. *(Res. 3747, §1, 2018)*

D. The port will continue to defer detainer requests from ICE or CBP to King County, as jails are in King County's jurisdiction. Similarly, the port will not enter into any contract, agreement,

or arrangement that would grant federal civil immigration enforcement authority or powers to the port or its law enforcement officers; provide federal immigration agents with access to databases without a judicial warrant; carry out a civil arrest based on an administrative warrant separately or in combination with an ICE or CBP detainer request; or provide personal information to federal immigration authorities for purposes of civil immigration enforcement, absent a warrant signed by a judge or a law requiring disclosure, except as required by state or federal law. When individuals are detained at our facilities or being transported through our facilities, the port will continue to share its expectations that these individuals have full access to their legal rights and are receiving appropriate treatment. *(Res. 3747, §1, 2018)*

E. The port will work in collaboration with local refugee resettlement organizations such as World Relief, Jewish Family Services, International Rescue Committee, and others to identify ways to increase the ease, and decrease the cost, of welcoming newly arriving refugees through Seattle-Tacoma International Airport. *(Res. 3747, §1, 2018)*

F. The port will join the Seattle-based advocacy organization One America in participating in the “Red, White and Blue – Time for Citizenship” initiative by posting signage at strategic places throughout Sea-Tac Airport encouraging eligible lawful permanent residents to apply for U.S. citizenship, and by hosting an on-site citizenship clinic for airport employees and local residents who are lawful permanent residents to gain legal and administrative support in applying for citizenship. As appropriate, the port should consider expanding these clinics to provide access to other services for immigrant and refugee populations. The port shall also explore other ways to use its facilities to support immigrant and refugee communities, such as when we provided office space for immigration lawyers during the peak of the “travel ban” activity. *(Res. 3747, §1, 2018)*

G. The port will continue to explore ways to cooperate with local jurisdictions, nonprofit organizations, and others to support local immigrant and refugee communities, including potential partnerships on workforce development and economic development. *(Res. 3747, §1, 2018)*

## **SECTION 6. Program Evaluation.**

A. By December 31, 2018, the Executive Director shall report to the commission on the successful implementation of these policies, procedures, and programs. *(Res. 3747, §1, 2018)*

B. Annually, the Executive Director shall empower key staff to conduct a review of port actions to ensure that staff continue to comply fully with this directive. *(Res. 3747, §1, 2018)*

## **SECTION 7. Fiscal Implications.**

A. Fiscal implications of this policy directive will be reviewed by the Executive Director annually, at a minimum, to determine if additional funding or resources are required to implement the policy directive. Funding proposals shall be included in annual budget requests as appropriate. *(Res. 3747, §1, 2018)*

## **SECTION 8. Findings.**

A. Engaging with people from around the world is essential to the success of the Port of Seattle – both morally and economically:

- (1) We benefit from international travelers who use our airport and cruise terminals.
- (2) We thrive when global consumers purchase goods that are shipped through our container terminals or our air cargo facilities.
- (3) We celebrate the \$540 million in seafood exports sent through the Northwest Seaport Alliance, caught by the thousands of North Pacific fishing boats that homeport at Fishermen’s Terminal.
- (4) We know that immigrants are key to the creation of so many Washington goods and services – from Eastern Washington agricultural products that we ship via the seaport and airport to technology companies and global health organizations that utilize our airport to connect with customers, clients, and partners.
- (5) We welcome the thousands of immigrants who work at the port itself, and those who work for other companies and at or around our facilities such as concessionaires, taxi, and rideshare drivers serving our airport and cruise terminals, truck drivers at the seaport, and the crews of cruise ships and container ships. We encourage their participation in the family-wage jobs that the port helps create.
- (6) We rely on our immigrant and refugee residents to foster both economic growth and cultural vibrancy, and we benefit tremendously from the large number of diverse immigrants and refugees who contribute to the development of a diverse and enriched community.

*(Res. 3747, §1, 2018)*

B. As a global gateway, these issues are particularly relevant to our region and state. For example, nearly one in five Seattle residents is foreign born and 129 languages are spoken in the Seattle public schools. The Seattle metropolitan area is among the 20 U.S. metropolitan areas with the largest populations of undocumented immigrants, and thousands of undocumented youth in Washington are in the Deferred Action for Childhood Arrivals (DACA) program. Washington is the 8<sup>th</sup> largest refugee receiving state, and a majority of the estimated 3,000 new arrivals each year are resettled in King County. *(Res. 3747, §1, 2018)*

C. In November 2016, Seattle Mayor Ed Murray signed an executive order reaffirming Seattle as a welcoming city. The order stated that city employees will not ask about the immigration status of residents and all city services will be available to all residents, and it

creates an inclusive and equitable city cabinet to coordinate city efforts to protect the civil liberties and civil rights of Seattle residents. *(Res. 3747, §1, 2018)*

D. In January 2017, the Seattle City Council passed a unanimous resolution affirming the city's commitment as a welcoming city. *(Res. 3747, §1, 2018)*

E. In February 2017, Washington State Governor Jay Inslee signed an executive order affirming and clarifying Washington state's policies for state agencies who provide services to immigrant Washingtonians. *(Res. 3747, §1, 2018)*

F. In April 2017, the Washington State Attorney General released formal guidance to answer questions local agencies — including libraries, law enforcement agencies, hospitals, and schools — may have about the impacts of changes to immigration laws and their discretion regarding participation in federal immigration enforcement. *(Res. 3747, §1, 2018)*

G. Also in April 2017, King County, City of Seattle, and the Seattle Foundation announced a combined \$2.25 million in emergency funding for critical services for immigrants, refugees, and other residents whose health, safety, and human rights are at risk. Specifically, they created an immigrants' Legal Defense Fund, a Resilience Fund to help nonprofit organizations expand successful programs that are already helping people in the immigrant and refugee community, and a Resource and Information Hub so that everyone in King County — including those who want to support immigrants and refugees — knows where to go for resources, alerts, and opportunities. *(Res. 3747, §1, 2018)*

H. In February 2018, building on guidelines approved by the Metropolitan King County Council in 2017, King County adopted immigration legislation that prevents the use of county funds and resources on federal immigration enforcement and outlines the steps the county will use to protect immigrants and refugees who seek services from the county or are victims/witnesses of crime, while still adhering to federal law. *(Res. 3747, §1, 2018)*

## **Revision History**

May 8, 2018

Resolution 3747, establishing the Welcoming Port Policy Directive, was adopted.