

CAPTAIN'S TABLE

By Michael Jordan

Following the September 11 attacks, the United States government demanded the names of passengers on all flights originating outside the United States for screening prior to arrival in the US.

The objective was clear: to provide more opportunity and time for law enforcement, intelligence and immigration authorities to prevent terrorists from entering the United States.

Five years later, an arrangement between the United States and the European Commission is perhaps close to final. The experiences endured by all involved – governments, airlines, suppliers – and the risks to global commerce and the flying public should hopefully become 'lessons learned' for the global digital economy.

First, transparent and objective public policy processes are critical to successful transatlantic policymaking. Lack of appreciation and understanding on the part of the US, and even some in Europe, to legislative and judicial prerogatives in Europe allowed sensitive agreements to derail. Politics appeared to guarantee that risk, as suspicion and uncertainty were commonplace during the negotiations.

Second, the right to privacy and the definitions of personal information are not the same on both sides of the Atlantic, particularly when law enforcement/intelligence/national security authorities are forcefully engaged in the negotiations. For example: does the risk of terrorism trump the right to privacy in all cases? And how do we process information to find the 'needle in the haystack' while protecting the rights of the entire haystack?

Third, who pays? According to the International Air Transport Association, the global airline industry is expected to lose \$4.2 billion this year. The simple

task of sharing passenger information has a cost, particularly if airline systems are interfacing with multiple government systems. As the largest provider of information services to the airline industry, EDS processes more than 42 million airline reservations each month. We understand that cost is always an issue.

Fourth, technology advances regardless of the pace of government negotiations. If one looks at the information technology environment over the last five years, it is clear that all elements of the airline passenger data issue – the reservations process, the algorithms deployed in larger and more comprehensive personal information databases about passenger identification and screening systems at airports, and the systems to share information and knowledge among multiple government agencies on both sides of the Atlantic – have changed dramatically and progressed significantly.

Fifth, information-sharing procedures among government agencies and between the public and private sectors require global definitions to secure the maximum advantages of the global digital economy. While the legitimate concern that a person's rights might be inadvertently infringed when personal information is accessed by law enforcement, immigration or intelligence agencies, our smaller planet requires parallel sensitivity to the future sharing of our electronic health record as patients travel across national boundaries and oceans.

Finally, trust is central to the deployment of technology and information by all concerned – individuals, the public, business and government. Trust is also critical to successful negotiations and the development of public policy. Public acrimony and suspicions about motives of negotiators do not facilitate the quest for solutions and create economic risk.



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Increasingly the global economy requires digitised personal information. Public policy advocates of e-health, for example, should learn from the airline passenger saga and make complicated sets of negotiations more transparent to consumers, health providers, and the political leaders and public servants who are representing those constituencies. Otherwise, history will repeat itself.