
ATTACHMENT B
PART ONE

b7C

From: [redacted]
To: Aviation-Field-30
Date: Wed, Dec 19, 2001 4:36 PM
Subject: FBI Response to FAA Name List - NEW PROCEDURES

Airport Agents - Please ensure that this message is forwarded to your supervisors, command post and any other personnel who might respond to name list matches at airports. The attached FAA documents have also been uploaded to [redacted]

There are two name lists for which the FBI may now have to respond, instead of one - the "No Fly" list (threats to aviation) and the "Selectee" list [redacted]. The names are the same and some additional ones from the previous FAA name lists, and they continue to originate from other agencies [redacted] from the FBI. However, there are new procedures to reduce unnecessary FBI response. The FBI and the FAA coordinated these procedures based on feedback from the field about the utility of FBI response to ticket counters to identify passengers when the lists now contain more identifying information, [redacted]

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[redacted]

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NEW PROCEDURES - [redacted]

[redacted]

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[redacted] Please read the attached FAA Security Directives (SD 108-01-20 and 108-01-21) for exact language.

[redacted]

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I expect questions, so please ask. If something doesn't work as you expected, please let me know. I'll try to do an EC as soon as possible, but since the list and changes are "out", I wanted you to have them as soon as possible.

SSA [redacted] (fax)
Civil Aviation Security Program, Room 11795
Domestic Terrorism Counterterrorism Planning Section
Counterterrorism Division
[redacted]@leo.gov

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CC: [redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-5-03 BY UC60267NLS/AG/CAL
CA# 03-1779

~~Proprietary/Confidential~~

1500 Southwest 1st Avenue

The Honorable Earl Blumenauer
The Weatherly Building
516 S.E. Morrison Street
Suite 250
Portland, OR 97214

b7C

Dear Representative Blumenauer:

This letter is in response to your request for additional information concerning [redacted] and the policies and procedures surrounding the Transportation Security Administration's (TSA) watch list. Nationwide policies and procedures regarding the TSA watch list are established jointly by the FBI and TSA at the headquarters level. Your concerns have been forwarded to FBI Headquarters, Counterterrorism Division, and the Office of Public and Congressional Affairs.

Additionally, on August 12, 2002, this office contacted [redacted] and explained, in general terms, the procedures used by the TSA, FBI, and commercial air carriers upon discovery of a name list match.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5-03 BY 11C60267 NLS/AG/CAL
CR# 03-1779

Region 37202

The Honorable Earl Blumenauer
The Weatherly Building
516 S.E. Morrison Street
Suite 250
Portland, OR 97214

Dear Representative Blumenauer:

b7C

This letter is in response to your inquiry on behalf of [redacted]

b7C

[redacted] is not a listed person on the Transportation Security Administration's (TSA) watch list. However, the watch list does contain a person with the same last name. Therefore, commercial air carriers are required to check [redacted] identification against the known identification of the [redacted] listed on the TSA watch list. Unfortunately, commercial air carriers cannot confirm [redacted] true identity until such time as his identification is checked at the ticket counter.

Historically, TSA procedures have required that identification checks be performed by law enforcement officers. Recent changes to TSA procedures allow commercial air carriers to conduct these checks under certain circumstances. This procedure must be completed every time Mr. [redacted] and all others with the same last name, travel via commercial aviation.

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While I fully appreciate Mr. [redacted] frustration, I am sure he can understand the importance of the enhanced security requirements.

b7C

Sincerely,

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-5-03 BY UIC 60269 NLS/AG/CAL
CA# 03-1779 Charles Mathews, III

Memorandum ^{b7D}

[redacted]



b7C

To: [redacted]
Commanding Officer
Airport Bureau - Day Watch

APPROVED YES NO

From: [redacted]
Airport Bureau - Day Watch

_____ b7C

Date: Friday, May 24, 2002

Subject: Selectee and No Fly list Names

ISSUE

Airport Bureau police response to the Transportation Security Administration's air-carriers No Fly and Selectee names lists.

DISCUSSION

On Friday, May 24, 2002, I met with [redacted] (T.S.A) and I spoke with [redacted] (F.B.I.), regarding police procedures when dealing with individuals whose names have been entered on the Transportation Security Administration's NO-FLY and SELECTEE names lists and the air-carriers reservation data banks.

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[redacted]

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[redacted]

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This new change in procedure, will allow airport officers to minimize the amount of time required to initially detain individuals with names that [redacted] names on federal NO-FLY or SELECTEE lists.

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RECOMMENDATION

I recommend that this new change take place to reduce time spent by officers on-scene, when responding to names on federal NO-FLY and SELECTEE lists.

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DATE 3-5-03 BY UC 60267 NLS/AG/CAL
CA# 03-1779



FBI FACSIMILE COVER SHEET



PRECEDENCE

- Immediate
- Priority
- Routine

CLASSIFICATION

- Top Secret
- Secret
- Confidential
- Sensitive
- Unclassified

Time Transmitted: _____
 Sender's Initials: bsw
 Number of Pages: 6
 (including cover sheet)

To: TSA / FBI Date: 2/18/02
Name of Office

Facsimile Number: _____
 Attn: _____

From: FBIHQ, Domestic Terrorism Section, Rm 11795 b2
b7C
Name of Office

Subject: 4th Amendment - Airport Searches

Special Handling Instructions: For info.

Originator's Name: SSA _____ Telephone: _____ b2
b7C

Originator's Facsimile Number: _____

Approved: [Signature]

Brief Description of Communication Faxed: _____

WARNING

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 DATE 03-02 BY 11C60267 NLS/AG-7
CA# 03-1779 GL
 Gordon/Adams pg-5

September 4, 2002

Mr. Michael D. Robinson
Associate Under Secretary
for Aviation Operations
Transportation Security Administration
400 Seventh Street, SW
Washington, DC 20590

Dear Mr. Robinson:

Thank you for your June 27th letter, enclosing a copy of TSA's Delegation Order concerning the placement of Federal Security Directors at all of the major airports nationwide. You asked that the Order be disseminated to each of the FBI's field offices having a need for the information.

Recognizing the FBI's investigative jurisdiction with respect to criminal violations set forth in Chapter 465 of Title 49, and all aviation-related criminal violations set forth in Title 18 of the U.S. Code, our field offices will be provided copies of TSA's Delegation Order dated June 14, 2002, along with the reminder that interagency cooperation and coordination are critically important to our respective missions and responsibilities as our agencies continue to discuss pertinent jurisdictional considerations.

Sincerely yours,

Robert S. Mueller, III
Director

1 - Mr. Ashley (5012) - Encls.
1 - Mr. D'Amuro (5829) - Encls.
1 - Mr. Wainstein (7427) - Encls.
1 - [redacted] (5096) - Encls.
1 - [redacted] (7326) - Encls.
1 - [redacted] (7176) - Encls.

b7C

62F-HQ-1077732

NOTE: Reply coordinated with Attorney-Advisor [redacted] Investigative Law Unit, OGC,
and Unit Chief [redacted] Major Theft/Transportation Crimes Unit, CID.

b7C

BHM

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DATE 9-5-03 BY 11660269 NLS/AG/CAL
CA# 03-1979

Gordon/Adams pg-11

Transportation Security Administration
(No Fly and Selectee Lists)

The No Fly and Selectee Lists, both administered by TSA, often are confused with the TWL. Currently, the TWL staff is working with TSA to develop protocols to facilitate entry and/or removal of FBI subjects to/from the No Fly or Selectee Lists. It should be noted, TSA is the only agency which actually can make the entries or removals.

The No Fly List is used to prevent individuals from using commercial aviation who are deemed by TSA to be a threat to aviation, based on information provided by various sources (such as the FBI). If an individual is listed on the No Fly List, that individual will not be permitted to board any commercial aircraft within the U.S. until such time the individual is removed from the list by TSA.

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[REDACTED]

It should be noted, the air carriers and/or local airport authorities are responsible for preventing a passenger on the No Fly List from boarding an aircraft, not the FBI.

The Selectee List consists of individuals who are [REDACTED]

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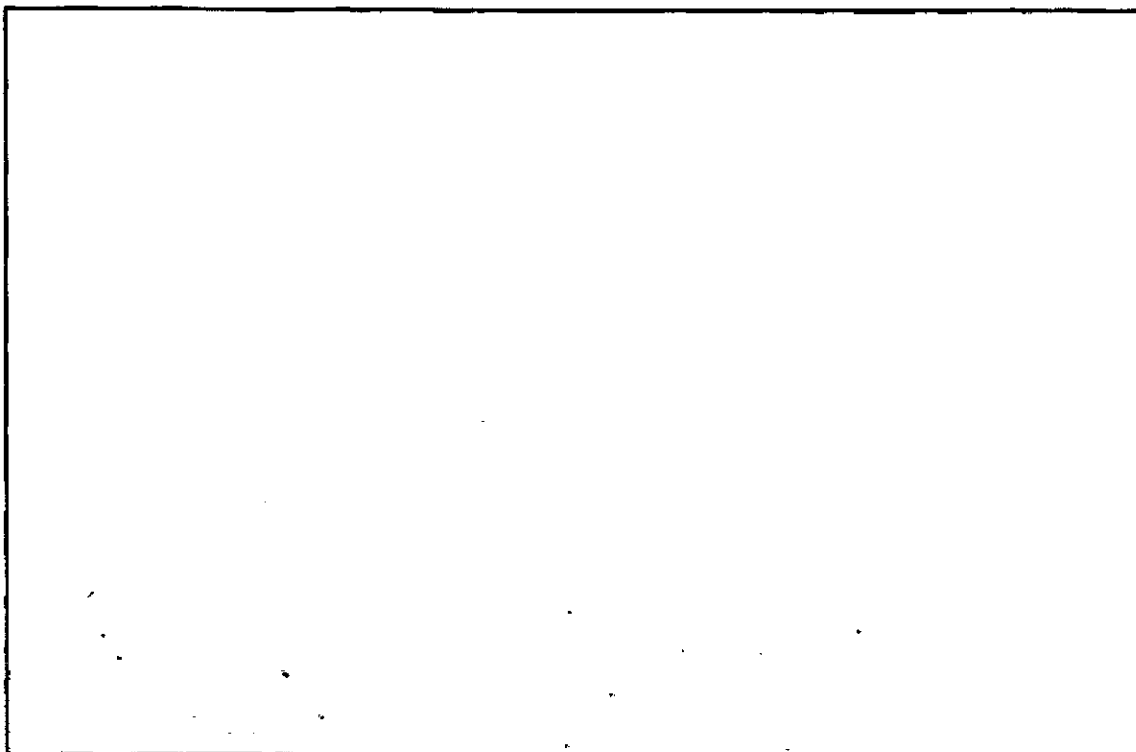
These individuals are screened by airport authorities in accordance with TSA Security Directives. Following the screening procedures, these individuals can use commercial air transportation and should not be denied boarding. Again, the respective air carrier and/or local airport authorities will make the final determination regarding who boards an aircraft.

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Administrative-General



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Investigative

NOFLY list - Used to prevent persons from using commercial aviation who are deemed by the FAA to be a threat to aviation, based on information received from various sources. Airport police are to perform an initial ID check and will hopefully eliminate the person as a match. [redacted]

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[redacted] Airport police will contact the FBI in questionable cases.

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A few people have been removed from the list after the person convinced the FBI and the FBI determined [redacted] that they were not a threat to aviation. The passenger may not fly until the FAA removes their name from the list. The air carriers, not the FBI, prevent the passenger from boarding the flight. The person can travel by other means, but not commercial air. The FAA removes names from the list based on instructions from the submitting agency or a document [redacted]

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[redacted] indicating that the person is not considered to be a threat to aviation.

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CA#03-1779

[redacted]

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SELECTEE List - These persons are [redacted]

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[redacted] Passengers determined to be the person on the list, [redacted] to the air carrier for any screening which the carrier needs to conduct in accordance with the TSA Security Directive prior to flight boarding. These persons can use commercial air transportation - they need not be denied boarding.

Responsibilities of FBI office in HQ city of air carrier [redacted]

[redacted]

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Possible Match Passenger at the Ticket Counter: When a passenger with a possible name match presents themselves at a ticket counter, the air carrier is supposed to first contact the airport LEO for an initial ID check. [redacted]

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[redacted]

[redacted]

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[redacted]

Passengers who know their name is on a list requiring identification by the police can potentially arrange with the airport police before they get to the airport that day to alert the police they have a flight and when they plan on being at the airport. Thus, the police can be there or at least be nearby, further reducing delays. [redacted]

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[redacted]

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Section 552

Section 552a

(b)(1)

(b)(7)(A)

(d)(5)

(b)(2)

(b)(7)(B)

(j)(2)

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(b)(7)(C)

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(k)(2)

(b)(7)(E)

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Gordon / Adams pg 22-23

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Section 552

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(j)(2)

(b)(3)

(b)(7)(C)

(k)(1)

(b)(7)(D)

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(b)(7)(E)

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(b)(7)(F)

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Gordon/Adams Pg 25-27

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Gordon/Adams pg 28

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b7C

From: [redacted]
To: ARTHUR M. CUMMINGS [redacted]
Date: 5/28/02 1:43:30 PM
Subject: Issue: TSA and No Fly Lists

b7C

[redacted] Art,

[redacted]

b5

Here's some background, if you have the patience to read it:

Since 10/2001, when the TSA No Fly and Selectee lists came into being (aftermath of the FBI Watchlist), I have been attempting to make the updated lists available to the field agents [redacted] on a timely basis, i.e., when they are issued, because TSA has made the agents responsible for responding to possible name matches. The agents need these lists in order to have background and ID info.

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TSA issues these lists to the air carriers and the airport police [redacted]

[redacted]

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TSA also fails (except on one occasion) to coordinate with us when they tell [redacted] (the FBI) or when they change the Security Directives concerning response which affects FBI offices. Despite my best efforts, the TSA just motors along and I and the agents are being whipped around the flagpole trying to do the right thing.

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[redacted]

[redacted]

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Example - today List 51 was issued; Lists 49 and 50 were issued on Friday. I believe I was here, but no mail from TSA, and I check every hour. I have raised this issue with people in TSA and here, and told the agents that getting the lists from me is now a luxury instead of a certainty.

I have tried to arrange a meeting with [redacted] TSA, but that has not worked out yet [redacted]

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[redacted]

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Again, please try to give me some time so we can meet and decide how we want to proceed.

b7C

Thanks [redacted]

SSA [redacted] (fax)
Civil Aviation Security Program, Room 11795
Domestic Terrorism Counterterrorism Planning Section
Counterterrorism Division
[redacted]@leo.gov

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b7C

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DATE 6-03 BY 1160267 NLS/AG/CAL
CA# 03-1779

[Redacted]

b7C

From: [Redacted]
To: Aviation Field 26
Date: 5/29/02 8:06:15 PM
Subject: [Redacted]

[Redacted]

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[Redacted]

More to follow as I get additional information.

SSA [Redacted] (fax)
Civil Aviation Security Program, Room 11795
Domestic Terrorism Counterterrorism Planning Section
Counterterrorism Division
[Redacted]@leo.gov

b2
b7C

CC: ARTHUR M. CUMMINGS; Aviation-CIRG&Training; Avia...

63416

DHCAA

493-1266

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-6-03 BY 11C60267 NLS/AG/CAL
CA# 03-1779

From: [redacted]
To: [redacted]
Date: 7/2/02 7:40PM
Subject: Re: No Fly and Selectee Lists

b7C

[redacted]

b7C

Thank you so much for the detailed legal opinion and support on the FBI's role in crafting security directives [redacted]

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We still need to address the legal, policy and procedural questions as a total picture, rather than piecemeal. [redacted]

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Re authority to hold No Fly passengers until the FBI arrives [redacted]

[redacted] Wow, I can't imagine that. [redacted]

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[redacted] for that evaluation. [redacted]

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If the FBI and the TSA cannot agree [redacted]

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Regards [redacted]

b7C

>> [redacted] 7/2/02 11:59:21 AM >>>

[redacted] The specific statutory citation for the terrorist watch list [redacted]

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DATE 5-6-03 BY 1111C/0267

CA#03-1779

NLS/AG/CAL
Gordon/Adams pg-31

[Redacted]

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[Redacted]

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[Redacted]

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My next move is to consult the [Redacted] in the DAG's office--about the issue of the legal basis for No-Fly decisions after I discuss this within OGC.

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[Redacted] ext [Redacted]

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>> [Redacted] 07/01/02 07:32PM >>>

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When it rains, it pours. [Redacted]

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[Redacted] I ask that [Redacted] OGC, go into additional legal citations from the USA PATRIOT ACT that might be pertinent, but the Aviation and Transportation Security Act (ATSA) of 2001, passed on November 19, 2001, mandates in Section 101, (a), §114 (h) entitled "Management of Security Information", that the Under Secretary of Transportation for Security shall:

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(1) enter into memoranda of understanding with Federal agencies or other entities to share or otherwise cross-check as necessary data on individuals identified on Federal agency databases who may pose a risk to transportation or national security;

(2) establish procedures for notifying the Administrator of the Federal Aviation Administration, appropriate State and local law enforcement officials, and airport or airline security officers of the identity of individuals known to pose, or suspected of posing, a risk of air piracy or terrorism or a threat to airline or passenger safety;

(3) in consultation with other appropriate Federal agencies and air carriers, establish policies and procedures requiring air carriers--

(A) to use information from government agencies to identify individuals on passenger lists who may be a threat to civil aviation or national security; and

(B) if such an individual is identified, notify appropriate law enforcement agencies, prevent the individual from boarding an aircraft, or take other appropriate action with respect to that individual; and

(4) consider requiring passenger air carriers to share passenger lists with appropriate Federal agencies for the purpose of identifying individuals who may pose a threat to aviation safety or national security.

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Personally, I think that this about covers it, and hopefully, the FBI will be consulted on revisions to the TSA Security Directives to be more clear about who is to contact whom in what situation.

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[redacted]
[redacted] Perhaps they need to hear a definitive statement from the FBI on these matters.

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I hope this helps.

SSA [redacted] (fax)
Civil Aviation Security Program, Room 11795
Domestic Terrorism Counterterrorism Planning Section
Counterterrorism Division
[redacted]@leo.gov

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b7C

>>> MARTIN J KING 8/27/02 5:05:03 PM >>>

b7C

SSA [redacted]

b7C

As CDC of the [redacted] I have been asked to obtain some information for the United States Attorney's Office [redacted] concerning the legal authority under which the FAATSA promulgate the No Fly and Selectee lists. Personnel from the United States Attorney's Office were recently afforded a briefing regarding the No Fly and Selectee lists by SA [redacted] Airport Liaison Agent. Following this briefing, SA [redacted] received a request for additional information which has been forwarded to the CDC for handling.

b7C

My understanding is that the U.S. Attorney's Office would like some assistance in identifying the specific statutes/regulations/executive orders or any other enabling provisions which grant authority to the FAA and/or TSA to compile and disseminate the lists. There is no known agenda attached to the request other than further informing the understanding of appropriate personnel regarding the program.

b7C

I have read the "Notes and Guidance" which you prepared on 03/25/2002 and accordingly, I hope that you may be of some help in responding to the request from the United States Attorney's Office [redacted] [redacted] if your Unit maintains responsive information, please forward same to my attention. I may be reached at [redacted]

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b7C

CC: ARTHUR M. CLIMMINGS; [redacted]
[redacted]

b7C

From: [redacted]
To: [redacted]
Date: 7/6/02 3:44PM
Subject: Re: No Fly and Selectee Lists

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[redacted] seeing as how I had time today, waiting for the TSA lists, I thought I would reply to you. I know this mail constitutes an ongoing discussion which really needs to be held in person, so people can offer their views.

[redacted]

1. Agree.

2. Agree

3 and 5. Still not clear on your distinction.

[redacted]

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4.

[redacted]

b5

b7C

>>> [redacted] 7/3/02 9:03:31 AM >>>

1. As far as I am concerned

[redacted]

b5

2. You heard their counsel say he wants more, such as

[redacted]

b5

3. But, what TSA is entitled to expect is a

[redacted]

b5

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Gordon/Adams pg-34

b7C

[Redacted]

4. Maybe, at some point,

[Redacted]

b5

5. In the end, even though we are dealing with lists or groupings of people who are joined together by a

[Redacted]

b5

[Redacted]

>>> [Redacted] 07/02/02 07:39PM >>>

b7C

[Redacted]

Thank you so much for the detailed legal opinion and support on the FBI's role in crafting security directives

[Redacted]

b5

We still need to address the legal, policy and procedural questions as a total picture, rather than piecemeal

[Redacted]

b5

Re authority to hold No Fly passengers until the FBI arrives

[Redacted]

[Redacted]
Wow, I can't imagine that
[Redacted]

b5

[Redacted]

[Redacted] for that evaluation.

b5

If the FBI and the TSA cannot agree

[Redacted]

[Redacted]

b5

Regards,

[Redacted]

b7C

>>> [Redacted] 7/2/02 11:59:21 AM >>>

The specific statutory citation for the terrorist watch list

[Redacted]

[Redacted]

b5

[Redacted]

b5

b5

[Redacted]

b7C

[Redacted]

b5

[Redacted]

b5

[Redacted]

[Redacted]

b5

My next move is to consult the [Redacted] in the DAG's office--about the issue of the legal basis for No-Fly decisions after I discuss this within OGC.

[Redacted]

b7C

>>> [Redacted] 07/01/02 07:32PM >>>

[Redacted]

When it rains, it pours. [Redacted]

b5

[Redacted] I ask that [Redacted] OGC, go into additional legal citations from the USA PATRIOT ACT that might be pertinent, but the Aviation and Transportation Security Act (ATSA) of 2001, passed on November 19, 2001, mandates in Section 101, (a), §114 (h) entitled "Management of Security Information", that the Under Secretary of Transportation for Security shall:

b7C

(1) enter into memoranda of understanding with Federal agencies or other entities to share or otherwise cross-check as necessary data on individuals identified on Federal agency databases who may pose a risk to transportation or national security;

(2) establish procedures for notifying the Administrator of the Federal Aviation Administration, appropriate State and local law enforcement officials, and airport or airline security officers of the identity of individuals known to pose, or suspected of posing, a risk of air piracy or terrorism or a threat to airline or passenger safety;

(3) in consultation with other appropriate Federal agencies and air carriers, establish policies and procedures requiring air carriers--

(A) to use information from government agencies to identify

b7C

individuals on passenger lists who may be a threat to civil aviation or national security; and

(B) if such an individual is identified, notify appropriate law enforcement agencies, prevent the individual from boarding an aircraft, or take other appropriate action with respect to that individual; and

(4) consider requiring passenger air carriers to share passenger lists with appropriate Federal agencies for the purpose of identifying individuals who may pose a threat to aviation safety or national security.

Personally, I think that this about covers it, and hopefully, the FBI will be consulted on revisions to the TSA Security Directives to be more clear about who is to contact whom in what situation.

b2

Perhaps they need to hear a definitive statement from the FBI on these matters.

b5

I hope this helps.

b7E

SSA [redacted] (fax)
Civil Aviation Security Program, Room 11795
Domestic Terrorism Counterterrorism Planning Section
Counterterrorism Division
[redacted]@leo.gov

b2

b7C

>>> [redacted] 6/27/02 5:05:03 PM >>>

b7C

SSA [redacted]

b7C

As CDC of the [redacted] I have been asked to obtain some information for the United States Attorney's Office [redacted] concerning the legal authority under which the FAA/TSA promulgate the No Fly and Selectee lists. Personnel from the United States Attorney's Office were recently afforded a briefing regarding the No Fly and Selectee lists by SA [redacted] Airport Liaison Agent. Following this briefing, SA [redacted] received a request for additional information which has been forwarded to the CDC for handling.

b7C

My understanding is that the U.S. Attorney's Office would like some assistance in identifying the specific statutes/regulations/executive orders or any other enabling provisions which grant authority to the FAA and/or TSA to compile and disseminate the lists. There is no known agenda attached to the request other than further informing the understanding of appropriate personnel regarding the program.

I have read the "Notes and Guidance" which you prepared on 03/25/2002 and accordingly, I hope that you may be of some help in responding to the request from the United States Attorney's Office [redacted]

b7C

If your Unit maintains responsive information, please forward same to my attention. I may be reached at [redacted]

b2

b7C

CC: ARTHUR M. CUMMINGS; [redacted]
MARION Bowman [redacted]

b7C

b7C

b2
b7C
b7E

From: [redacted]
To: ARTHUR M. CUMMINGS; [redacted]
Date: 7/18/02 6:39PM
Subject: [redacted]

b7C

[redacted]

b2
b7D

[redacted]

b7E

Thank you.

From: [redacted]@state.gov
To: [redacted]
Cc: [redacted]

b7C
b7D

Subject: RE: TSA No Fly List
Date: Thu, 18 Jul 2002 13:51:03 -0400

[redacted]

b2
b7C

[redacted]

b7D
b7E

[redacted]

b2

[redacted]

b7C
b7D
b7E

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CA 02-1000 Gordon/Adams pg-38

b2

Please advise who will attend this meeting. I may be reached at [redacted] Thanks.

b7C

b7E

----- Original Message -----

From: [redacted] (FBI) [mailto:[redacted]@leo.gov]

b7C

Sent: July 06, 2002 2:51 PM

To: [redacted] (E-mail)

b7D

Cc: [redacted] (E-mail); [redacted] (E-mail)

Subject: Re: TSA No Fly List

[redacted] - sorry, I was looking on the wrong lists - it looks like there is a [redacted] on the most current Selectee List 44.

b7C

----- Original Message -----

From: [redacted] (FBI)* [redacted]@leo.gov>

b7C

To: [redacted] (E-mail)*

b7D

[redacted]@aa.gov>

Cc: [redacted] (E-mail)* [redacted]@state.gov> [redacted]

(E-mail)* [redacted]@ost.dot.gov>

Sent: Friday, July 05, 2002 5:50 PM

Subject: Re: TSA No Fly List

Hello, [redacted]

It appears that there is no more [redacted] on either of the two lists (No Fly 73 or Selectee 44), so Mr. [redacted] should have no more problems for now. However, if another [redacted] should be put on the list, his name would trigger something. Your advice was the best that could be given under the circumstances. I don't know if FBI put him on the list or not.

b7C

[redacted] Supervisory Special Agent
Civil Aviation Security Program
Special Events Management Unit, Room 11795
Domestic Terrorism Counterterrorism Planning Section
Counterterrorism Division
Federal Bureau of Investigation

b2

b7C

[redacted] (fax)

----- Original Message -----

From: [redacted]

To: [redacted] (E-mail)* [redacted]@faa.gov

b7C

Cc: [redacted] (E-mail)* [redacted]@state.gov; [redacted] (E-mail)*

[redacted]@ost.dot.gov [redacted] (E-mail)* [redacted]@leo.gov

b7D

Sent: Friday, July 05, 2002 9:51 AM

Subject: TSA No Fly List

[redacted]
There is a specific case involving the TSA List which is a slightly bigger problem for us. The list contains the name: [redacted] we have a Mr [redacted] who is continually denied access to the automated check-in and is given the third degree every time he flies.

b7C

[Redacted]

b2

Page 3

b7C

b7E

The problem is our Mr. [Redacted] which means that he is a member of [Redacted] which means that he is required to travel the world for preparatory meetings related to the [Redacted]. We have advised our [Redacted] to book his ticket using his full names which match those on his passport i.e. [Redacted]. His travel agent has added his Frequent Flyer details to all his bookings and provides Mr. [Redacted] DOB, Passport # and Country of Issue so he can checked out early through [Redacted] when he travels to the [Redacted]. Still he get's hassled. Is there anyway way for you folks to verify whether your [Redacted] is still a valid name, add more details or delete it? We're still looking forward to meeting with you folks to try and come to grips with the TSA List issue.

b7C

b7D

[Redacted]

b7C

CC:

[Redacted]

From: [redacted]
To: [redacted] (FBI) [redacted]@leo.gov>
Subject: RE: TSA No Fly List
Date: Tue, 18 Jun 2002 20:46:23 -0400
Hi [redacted]

b7C
b7D

[redacted]

b2
b7D
b7E

1. [redacted]
[redacted]

2. [redacted]
[redacted]

b2
b7D

3. [redacted]
[redacted]

b7E

4. [redacted]
[redacted]

b2
b7D
b7E

[redacted]

b2
b7D

[redacted]
[redacted]

b7E

[redacted]

b7C

From: [redacted] (FBI) [redacted]@leo.gov>
To: [redacted]
References: [redacted]
Subject: Re: TSA No Fly List
Date: Tue, 18 Jun 2002 21:31:57 -0400

b2
b7C
b7D

[redacted]

b2

1. [redacted]
[redacted]

b7E

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[Redacted]

b2
b7E

2. [Redacted]

[Redacted]

b2
b7E

3. [Redacted]

[Redacted]

b2
b7E

[Redacted]

b7C

From: [Redacted]
To: [Redacted] (E-mail) [Redacted]@state.gov>
Cc: [Redacted] (E-mail) [Redacted]@faa.gov>,
[Redacted] (E-mail) [Redacted]@ost.dot.gov>,
[Redacted] (E-mail) [Redacted]@leo.gov>

b2
b7C
b7D

Subject: TSA No Fly List
Date: Tue, 18 Jun 2002 12:18:29 -0400

b2

[Redacted]

b7C

[Redacted]

b7D
b7E

[Redacted]

b2

b7C

[Redacted]

b7D

b7E

b7C

From: [Redacted]
 To: [Redacted]
 Date: 7/22/02 1:48PM
 Subject: Info for TSA Legal Request

[Redacted] seems to believe that he is entitled to an immediate response to his issues, when the FBI has been waiting since Nov 2001 for resolution to our issues asking them for [Redacted] and to cooperate on crafting the Security Directives. They ignored [Redacted] January letter, and have yet to act, based on discussions held at a meeting in early June to go over these issues again. Therefore, I don't know that we should be in any rush for him, but you have to keep letting him think you're working on "it" - same tactic they use with us.

b2
b7C
b7E

[Redacted] is going to write the FBI a letter about what TSA wants to know from us about detaining passengers, etc. These are the points that I think need to be iterated, among any others we might add about how a person gets on the list in the first place.

b7C

[Redacted]

b2
b7E

1. What does the FBI want the TSA to "do" re a "No Fly" List?

A. [Redacted]

b2

B. [Redacted]

b5
b7E

C. [Redacted]

b2

D. [Redacted]

b5
b7E

E. [Redacted]

b2

F. [Redacted]

b5
b7E

G. [Redacted]

b2

H. [Redacted]

b5
b7E

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b2

1. [Redacted]

b5

b7C

b7E

2. What is the legal justification for what the FBI wants the TSA to do?

A. The legal justification for requiring air carriers to identify passengers on threat lists (including NCIC) and for preventing passengers from boarding until and if identified as a "match" may be found in the Aviation and Transportation Security Act (ATSA) of 2001, passed on November 19, 2001, mandates in Section 101, (a), §114 (h) entitled "Management of Security Information", that the Under Secretary of Transportation for Security shall:

(1) enter into memoranda of understanding with Federal agencies or other entities to share or otherwise cross-check as necessary data on individuals identified on Federal agency databases who may pose a risk to transportation or national security;

(2) establish procedures for notifying the Administrator of the Federal Aviation Administration, appropriate State and local law enforcement officials, and airport or airline security officers of the identity of individuals known to pose, or suspected of posing, a risk of air piracy or terrorism or a threat to airline or passenger safety;

(3) in consultation with other appropriate Federal agencies and air carriers, establish policies and procedures requiring air carriers--

(A) to use information from government agencies to identify individuals on passenger lists who may be a threat to civil aviation or national security; and

(B) if such an individual is identified, notify appropriate law enforcement agencies, prevent the individual from boarding an aircraft, or take other appropriate action with respect to that individual; and

b5

(4) consider requiring passenger air carriers to share passenger lists with appropriate Federal agencies for the purpose of identifying individuals who may pose a threat to aviation safety or national security.

b7E

B. [Redacted]

C. [Redacted]

That's as far my legal brain will carry me, which may still not be far enough to properly address the issues. Thanks.

SSA [Redacted] (fax)
Civil Aviation Security Program, Room 11795
Domestic Terrorism Counterterrorism Planning Section
Counterterrorism Division
[Redacted]@leo.gov

b2

b7C

b7C

From: [Redacted]
To: [Redacted]
Date: 7/23/02 10:16AM
Subject: No-Fly List

b7C

[Redacted] et al: This is to confirm our understanding in OGC of yesterday's meeting. We all recognize the needs:

[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

b5

[Redacted]

Obviously, CTD will have to address the last three of the four items listed above--although OGC will certainly help wherever we can. However, we can and should play an integral role in developing criteria. We can work on criteria in theory but we really need to learn the track record of experience so far.

To that end, you agreed to consult with the cognizant people in the TWL unit and other IT sources to assemble some of the actual [Redacted]

b5

[Redacted]

b7C

Let me know if your understanding is different than what I have described and please let us know how you are progressing in finding out the actual criteria used so far.

Thanks [Redacted] Ext [Redacted]

b2

CC: CUMMINGS, ARTHUR M. [Redacted] [Redacted] [Redacted]
[Redacted]

b7C

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b7C

From: [redacted]
To: NO FLY INFO
Date: 8/5/02 7:45PM
Subject: List Criteria

Per our last meeting, I reviewed the existing

[redacted]

[redacted]

b5
b7E
b2

CC: [redacted]

b7C

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DATE 6-08 BY UC60267NLS/AG/CAL
CA# 03-1779

From: [redacted]
To: [redacted]
Date: 8/5/02 6:52PM
Subject: [redacted] dissem of No Fly List

b2
b7C
b7E

Hi [redacted]

This is probably a tricky question depending on to whom you wish to give it and why. If you have an FAA/TSA rep [redacted] it might be best to discuss this with them and let me know what they say. I've been answering this question for other [redacted] but each [redacted] situation may be different.

b2
b7E

I think it should be disseminable to liaison contacts responsible for aviation-security matters [redacted]

[redacted]

Hopefully, you can look at the purpose of the list, and go from there. Thanks for your question. If you run into problems or other questions, please let me know.

>>> [redacted] 8/5/02 1:11:06 AM >>>

b2
b7C

Can we disseminate this list to [redacted]

[redacted]

>>> [redacted] 08/01/02 05:58AM >>>

b2
b7C
b7E

I've received a couple of questions from [redacted] about the lists, such as whether the names are in other 'databases,' etc. I'll answer as I can and cc everyone, and then try to compile a comprehensive info sheet at some point. For example, [redacted]

[redacted]

Please forward this mail as appropriate within your offices and to CP/Duty Agent. Thank you.

** Recipients of this mail have either been designated as Airport Liaison Agents or have duties and responsibilities which necessitate, or are enhanced by, awareness of Transportation Security Administration (TSA - formerly FAA) security information.

These lists and general guidance for FBI response to possible name matches on TSA lists may be found at [redacted] on the [redacted] and also on [redacted]

b2
b7E

SSA [redacted] (fax)
Civil Aviation Security Program, Room 11795
Domestic Terrorism Counterterrorism Planning Section
Counterterrorism Division
[redacted]@leo.gov

b2
b7C

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Gordon/Adams pg-47

b2

From: ARTHUR M. CUMMINGS
To: [redacted]
Date: 8/7/02 1:38PM
Subject: Re: [redacted] dissem of No Fly List

b7C

b7E

All, the No Fly and Selectee lists are controlled by the TSA and as such will be disseminated by that organization

[redacted] deas?

b2

b5

b7E

>>> [redacted] 08/05 6:52 PM >>>

b7C

Hi [redacted]

This is probably a tricky question depending on to whom you wish to give it and why. If you have an FAA/TSA rep [redacted] it might be best to discuss this with them and let me know what they say. I've been answering this question for other [redacted] but each [redacted] situation may be different.

b7C

I think it should be disseminable to [redacted] responsible for aviation-security matters [redacted]

b2

b7E

[redacted]

Hopefully, you can look at the purpose of the list, and go from there. Thanks for your question. If you run into problems or other questions, please let me know.

>>> [redacted] 8/5/02 1:11:06 AM >>>

b2

[redacted]

Can we disseminate this list to [redacted]

b7C

b7E

[redacted]

>> [redacted] 08/01/02 05:58AM >>>

I've received a couple of questions from [redacted] about the lists, such as whether the names are in other databases, etc. I'll answer as I can and cc everyone, and then try to compile a comprehensive info sheet at some point. For example [redacted]

b2

b7C

b7E

[redacted]

Please forward this mail as appropriate within your offices and to CP/Duty Agent. Thank you.

** Recipients of this mail have either been designated as Airport Liaison Agents or have duties and responsibilities which necessitate, or are enhanced by, awareness of Transportation Security Administration (TSA - formerly FAA) security information.

These lists and general guidance for FBI response to possible name matches on TSA lists may be found

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CA# 03-1779 Gordon/Adams pg-48

at <http://30.5.100.249/opsupport/faasupport> on the [redacted] and also on [redacted]

[redacted]
SSA [redacted] (fax)
Civil Aviation Security Program, Room 11795
Domestic Terrorism Counterterrorism Planning Section
Counterterrorism Division
[redacted]@leo.gov

b2
b7C
b7E

CC: [redacted]
[redacted]

XXXXXX
XXXXXX
XXXXXX

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Section 552a

(b)(1)

(b)(7)(A)

(d)(5)

(b)(2)

(b)(7)(B)

(j)(2)

(b)(3)

(b)(7)(C)

(k)(1)

(b)(7)(D)

(k)(2)

(b)(7)(E)

(k)(3)

(b)(7)(F)

(k)(4)

(b)(4)

(b)(8)

(k)(5)

(b)(5)

(b)(9)

(k)(6)

(b)(6)

(k)(7)

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XXXXXX
XXXXXX
XXXXXX

From: [redacted]
To: [redacted]
Date: 9/18/02 4:41PM
Subject: No Fly List Procedures

b2
b7C
b7E

[redacted]
To your knowledge, have the TSA and the FBI agreed to a change in response protocols for potential matches on the No Fly List, i.e., if TSA [redacted] I'm sure that if there had been such a major change in procedure, you would have let me know. I've seen no Security Directive to that effect and I can't imagine it. Anyway, I ask because I think SIOC may have inadvertently misadvised one field office to that effect, and that office has asked for clarification. As far as I know, and please correct me if I'm wrong, the process, in a nutshell, is still as follows:

FBI agents get contacted by the local police or air carrier to resolve potential list matches.

[redacted]

b2
b7E

Is that still the procedure? Thanks. [redacted]

SSA [redacted] (fax)
Civil Aviation Security Program, Room 11795
Domestic Terrorism Counterterrorism Planning Section
Counterterrorism Division
[redacted]@leo.gov

b2
b7C

CC: [redacted]

b7C

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Section 552a

(b)(1)

(b)(7)(A)

(d)(5)

(b)(2)

(b)(7)(B)

(j)(2)

(b)(3)

(b)(7)(C)

(k)(1)

(b)(7)(D)

(k)(2)

(b)(7)(E)

(k)(3)

(b)(7)(F)

(k)(4)

(b)(4)

(b)(8)

(k)(5)

(b)(5)

(b)(9)

(k)(6)

(b)(6)

(k)(7)

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b7C

From: [redacted]
To: [redacted]
Date: 10/10/02 8:07PM
Subject: Re: No-fly List

[redacted]
First of all, thanks to Tom Bush - I have him fooled, eh? :-)

b2

1. Q. We have found out that there are possibly [redacted] No-Fly lists being maintained and utilized at the airport.

b7E

A. There is only one No Fly List - it is capable of being printed and the TSA maintains it, based on info from FBI, CIA and other intel sources. The current list is #115, and it is about 41 pages long right now.

b2

2. Q. The agencies having lists - as we know of are TSA, FBI and the airlines

b7E

A. [redacted]

3. Q. These list are not comprehensive and not centralized.

A. The lists will never be comprehensive and centralized, as they have different purposes and are maintained by different agencies. However, one day they will all be checked simultaneously (I will be retired by then!)

3. Q. Some subjects appear are one list but not the others.

A. I would imagine that the No Fly List contains some names that are also in VGTOF, but not all No Fly names are in VGTOF, although they should be. There will never be consistency due to input mechanisms, etc. and purpose of "lists."

4. Q. Some of the lists are old and not current. A. Throw old lists away and ask the agencies for new lists. I keep you up to date as best as I can with the TSA list. VGTOF is as current as the entries.

5. Q. Please advise how we can get these people on the No-Fly List ASAP.

A. [redacted]

b2

b7C

b7E

6. Q. BU EC, Dated 10/09/02, titled [redacted] is a directive to field offices confirming that all subjects have been appropriately watchlisted. We have contacted TSA today, 10/10/02 to verify if our subjects have been placed on the list and again determine that they have not

A. [redacted]

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Gordon/Adams pg-61

CCG0267 NLS / AG / CAL
CA 03-1779

[Redacted]

[Redacted] I have to leave for the evening - I hope this helps somewhat. [Redacted]

>> [Redacted] 10/10/02 12:12:44 PM >>>

[Redacted] Hello from St. Louis. Our New SAC, Tom Bush spoke highly of you yesterday.

[Redacted] We here in St. Louis have a problem and are wondering if you could help us out. We have found out that there are possibly [Redacted] No-Fly lists being maintained and utilized at the airport. The agencies having lists, as we know of are TSA, FBI and the airlines. These lists are not comprehensive and not centralized. Some subjects appear on one list but not the others. Some of the lists are old and not current. We are really confused.

b2
b7C
b7E

[Redacted]

[Redacted] TSA at SIOC and [Redacted] FBIHQ attempting to place these St. Louis Subjects on the NO-Fly lists, again with no success. [Redacted] has been the most helpful but we have not yet been able to get the subjects placed on the lists. BU EC, Dated 10/09/02, titled [Redacted] is a directive to field offices confirming that all subjects have been appropriately watchlisted. We have contacted TSA today, 10/10/02 to verify if our subjects have been placed on the list and again determine that they have not. Please advise how we can get these people on the No-Fly List ASAP.

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Thanks [Redacted]

CC: Aviation-CAS Program; THOMAS E. BUSH; TSA LIST PROCESS

b2

b7C

From: [redacted]
To: [redacted] Aviation Field 25
Date: 10/25/02 6:37PM
Subject: TSA No Fly 123 & Selectee 80 lists

I've received some questions about how [redacted] should handle the lists. This is my best guidance, but if someone has something additional to offer, please let us know.

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If the goal is to not let identical matches board flights, and it is the air carrier's responsibility to do that, we have to figure out ways to help the air carriers determine if a possible match is an exact match. If the air carrier identifies a possible match, they are supposed to [redacted] don't know what options [redacted] have to discuss identification with air carrier personnel or if they prefer, or have, to go to the local police at the airport to assist them, but someone is going to have to compare the passenger's identification to the list data. That can be over the phone or in person.

TSA controls dissemination of the list and the FBI is only supposed to disseminate within its own organization.

[redacted]

[redacted]

[redacted]

b2

Please forward/disseminate as appropriate

b7C

** Recipients of this mail have either been designated as Airport Liaison Agents or have duties and responsibilities which necessitate, or are enhanced by, awareness of Transportation Security Administration (TSA - formerly FAA) security information.

b7E

These lists and general guidance for FBI response to possible name matches on TSA lists may be found at [redacted] on the [redacted] and also on [redacted]

[redacted]

[redacted]

[redacted]

Gordon/Adams pg-63

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HEREIN IS UNCLASSIFIED
DATE 06-03 BY 603267 NLS/AG/CAL
CA#03-1779

b7C

From: [redacted]
To: [redacted]
Date: 10/7/02 4:40PM
Subject: Re: the TSA No Fly list

[redacted]

b7C

The question has arisen many times already. Persons are placed on the list based on a variety criteria, including the following, which all focus being a known or suspected terrorist, planning or suspected of planning a terrorist act, etc AND posing a threat to aviation. When you ask if any persons on the list are

[redacted] I don't think so,

but it's possible.

[redacted]

[redacted]

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[redacted]

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[redacted]

[redacted]

[redacted]

[redacted]

>>> [redacted] 10/7/02 10:56:33 AM >>>

[redacted]

do you know what factor(s) are used in placing individuals names on the list? For example: [redacted]

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[redacted] I would like to know for future reference in case the question arises.

b7E

Thanks,

[redacted]

CC:

[redacted]

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DATE 8-17-03 BY UC60267 NLS/AG/CAC
C# 03-1779

From: [redacted]
To: [redacted]
Date: 9/30/02 8:01PM
Subject: Re: No-Fly Question

b7C

b7C

Hi [redacted]

I didn't see this article so thanks for sending. The TSA maintains the No Fly List, but the content is generated by FBI, CIA and probably other intel entities. I'll read the article in depth tomorrow.

[redacted]

b7C

>>> [redacted] 9/30/02 9:47:51 AM >>>

Re the attached article. Who does "maintain" or is "responsible" for the no-fly list?

No-Fly Blacklist Snares Political Activists

The San Francisco Chronicle

By Alan Gathright

September 28, 2002

SAN FRANCISCO, CA -- A federal "No Fly" list, intended to keep terrorists from boarding planes, is snaring peace activists at San Francisco International and other U. S. airports, triggering complaints that civil liberties are being trampled.

And while several federal agencies acknowledge that they contribute names to the congressionally mandated list, none of them, when contacted by The Chronicle, could or would say which agency is responsible for managing the list. One detainment forced a group of 20 Wisconsin anti-war activists to miss their flight, delaying their trip to meet with congressional representatives by a day. That case and others are raising questions about the criteria federal authorities use to place people on the list -- and whether people who exercise their constitutional right to dissent are being lumped together with terrorists.

"What's scariest to me is that there could be this gross interruption of civil rights and nobody is really in charge," said Sarah Backus, an organizer of the Wisconsin group. "That's really 1984-ish."

Federal law enforcement officials deny targeting dissidents. They suggested that the activists were stopped not because their names are on the list, but because their names resemble those of suspected criminals or terrorists. Congress mandated the list as part of last year's Aviation and Transportation Security Act, after two Sept. 11 hijackers on a federal "watch list" used their real names to board the jetliner that crashed into the Pentagon. The alerts about the two men, however, were not relayed to the airlines. The detaining of activists has stirred concern among members of Congress and civil liberties advocates. They want to know what safeguards exist to prevent innocent people from being branded "a threat to civil aviation or national security."

NO ACCOUNTABILITY

And they are troubled by the bureaucratic nightmare that people stumble into as they go from one government agency to another in a maddening search to find out who is the official keeper of the no-fly list. "The problem is that this list has no public accountability: People don't know why their names are put on or how to get their names off," said Jayashri Srikantiah, an attorney with the American Civil Liberties Union of Northern California. "We have heard complaints from people who triggered the list a first time and then were cleared by security to fly. But when they fly again, their name is triggered again."

Several federal agencies -- including the CIA, FBI, INS and State Department -- contribute names to the list. But no one at those agencies could say who is responsible for managing the list or who can remove names of people who have been cleared by authorities. Transportation Security Administration spokesman David Steigman initially said his agency did not have a no-fly list, but after conferring with colleagues, modified his response: His agency does not contribute to the no-fly list, he said, but simply relays names collected by other federal agencies to airlines and airports. "We are just a funnel," he said, estimating that fewer than 1,000 names are on the list. "TSA has access to it. We do not maintain it." He couldn't say who does.

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Oden said a National Guardsman grabbed her arm when she tried to help a security screener searching her bags with a stuck zipper. The middle-aged woman, who said she was conservatively dressed and wore no anti-war buttons, said the guardsman seemed to know her activist background. "He started spouting this pro-war nonsense: 'Don't you understand that we have to get them before they get us? Don't you understand what happened on Sept. 11?'" Airport officials said at the time that Oden was barred from boarding because she was uncooperative with security procedures, which she denies.

b7C

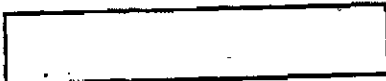
Instead, Oden pointed out that the American Airlines ticket clerk -- who marked her boarding pass with an "S" -- had acknowledged she wasn't picked by random. "You were going to be searched no matter what. Your name was checked on the list," he said, according to Oden. "The only reason I could come up with is that the FBI is reactivating their old anti-war activists' files," said Oden, who protested the Vietnam War as a young office worker in Washington, D.C. "It is intimidation. It's just like years ago when the FBI built a file about me and they called my landlord and my co-workers. . . . They did that with everyone in the anti-war movement." A

TOOL FOR TERROR

In his testimony before Congress, Mueller described the watch list as an necessary tool for tracking individuals who had not committed a crime but were suspected of terrorist links. "It is critically important," he said, "that we have state and locals (police) identify a person has been stopped, not necessarily detained, but get us the information that the person has been stopped at a particular place." None of this makes the peace activists feel any safer -- about flying or about their right to disagree with their government.

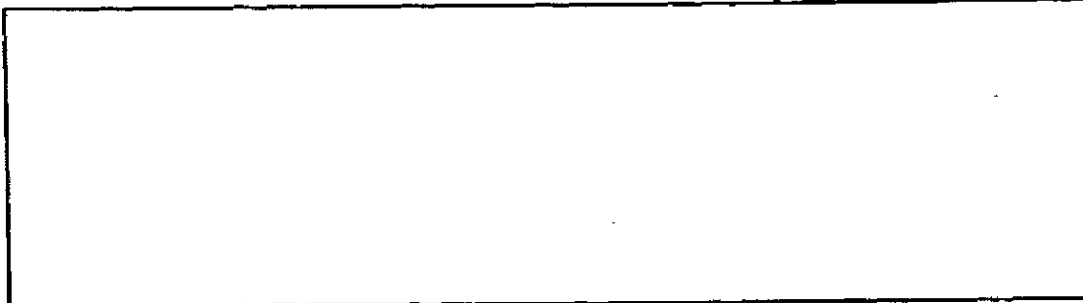
"It's probably bad for (airport) security," said Sister Virgine. "Stopping us took a lot of staff away from checking out what else was going on in that airport." Ultimately, she said, "To not have dissent in a country like this would be an attack on one of our most precious freedoms. This is the essence of being an American citizen -- the right to dissent."

CC:
PROCESS



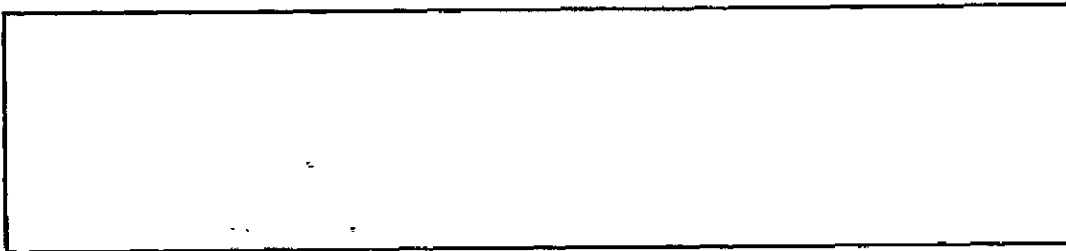
TERRORIST WATCH LIST Unit; TSA LIST

into VGTOF.



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The Terrorism Watch List



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**Transportation Security Administration (TSA)
(No Fly and Selectee Lists)**

The No Fly List is used to prevent individuals from using commercial aviation who are deemed by TSA to be a threat to civil aviation based on information provided by various sources (such as the FBI). If an individual is listed on the No Fly List, that individual will not be permitted to board any commercial aircraft within the U.S. until such time as the individual is removed from the list by TSA. If an individual on the No Fly List is identified at an airport, the local FBI office will be contacted to conduct a thorough interview of the individual to make a positive identification. It should be noted, the air carriers and/or local airport authorities are responsible for preventing a passenger on the No Fly List from boarding an aircraft, not the FBI.

b2

The Selectee List consists of individuals who are

b7E



These individuals are screened by airport authorities in accordance with TSA Security Directives. Following the screening procedures, these individuals can use commercial air transportation and should not be denied boarding. Again, the respective air carrier and/or local airport authorities will make the final determination regarding who boards an aircraft.

Additions to the No Fly and Selectee lists are based on recommendations from the U.S. Intelligence Community (the FBI and CIA). Removals are based on

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CA# 03-1779

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recommendations from the originators of the information.

[Redacted]

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DEPARTMENT OF STATE (DOS)

[Redacted]

[Redacted]

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[Redacted]

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[Redacted]

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The Terrorism Watch List



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(No Fly and Selectee Lists)**

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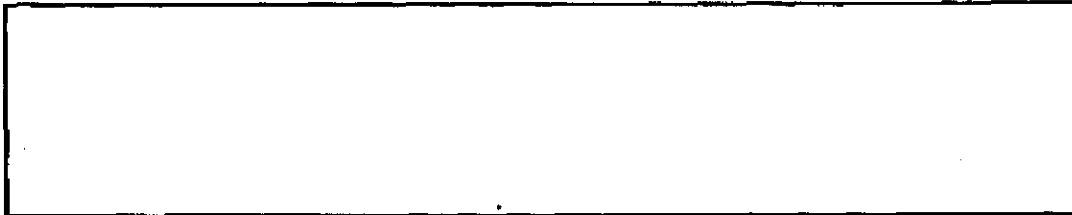
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CA# 03-1779



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The Terrorism Watch List



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**Transportation Security Administration
(No Fly and Selectee Lists)**

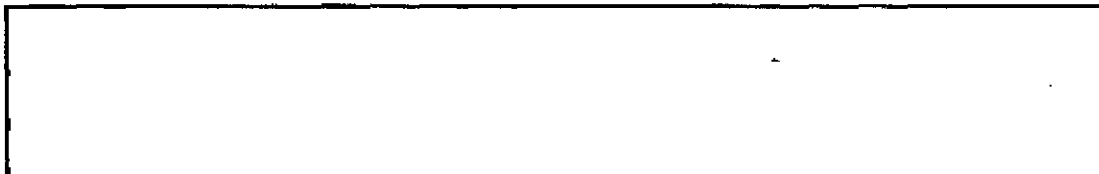
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b7C

From: [redacted]@leo.gov>
 To: [redacted]@nommesa.com>
 Bcc: [redacted]@customs.treas.gov>,
 [redacted]@state.gov>,
 [redacted]@fbi.gov>,
 [redacted]@ost.dot.gov>,
 [redacted]@state.gov>,
 [redacted]@ost.dot.gov>,
 [redacted]@faa.gov>,
 [redacted]@isa.dot.gov>,
 [redacted]@faa.gov>,
 [redacted]@faa.gov>,
 [redacted]@faa.gov>,
 [redacted]@faa.gov>

b7C

References: [redacted]

Subject: Re: No Fly List
 Date: Fri, 9 Aug 2002 00:58:47 -0400
 MIME-Version: 1.0
 Content-Type: text/plain;
 charset="iso-8859-1"
 Content-Transfer-Encoding: 7bit
 X-Priority: 3
 X-MSMail-Priority: Normal
 X-Mailer: Microsoft Outlook Express 5.50.4807.1700
 Disposition-Notification-To: [redacted]@leo.gov>
 X-MimeOLE: Produced By Microsoft MimeOLE V5.50.4807.1700

b7C

Dear [redacted]

Please understand that I am only one of many persons involved in this process, but, as I have tried with other citizens facing the same situation, I will try to respond to your questions since you were referred to me by the FAA. For starters, let me say that the U.S. government and the airlines are continually working to streamline the identification of passengers while affording maximum security. Passenger cooperation plays a big role, so we very much appreciate that you recognize the overall issue.

Even though your marketer's name may match or be close enough to a name on the No Fly List to warrant additional scrutiny, her own identification, once examined by airline or law enforcement personnel, should be sufficient to distinguish her from the actual person on the list. I think that the airlines, law enforcement and the passenger all hope that this examination process is short, but everyone also wants to be sure that the passenger is not the person on the list. Although there is no government documentation available at this time which a person can carry with them to say that they are not the person on a list, I can only suggest that your marketer contact the airline(s) with whom she deals to inquire if there is something she can do to assist them in distinguishing herself from the list name in advance and again at the ticket counter/gate, to facilitate the process.

I'm not at liberty to discuss how the No Fly List works, and I don't believe that there is any public information at this time regarding the list. You may wish to review the Aviation and Transportation Security Act passed by Congress on 11/19/2001, for insight on the requirements for checking airline

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 CAW 03-1779

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passenger information.

The idea of having a database or clearing house that could be searched or to which names could be submitted is one that has been raised by many people and that I imagine will be the subject of debate for some time.

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I hope I have assisted you and, again, thank you for your cooperation as we face these challenges.

[redacted] Supervisory Special Agent
Civil Aviation Security Program, FBI Headquarters-Room 11795
935 Pennsylvania Avenue, NW, Washington, DC 20535

[redacted] (fax)

----- Original Message -----

From: [redacted]
To: [redacted]@leo.gov>
Sent: Wednesday, August 07, 2002 4:19 PM
Subject: No Fly List

b7C

> [redacted]

> I was given your contact information by someone at the FAA concerning the
> "no-fly" list. I manage a company that conducts background checks for
> employers. My interest stems from the experiences of one of our marketers
> who is routinely subjected to close scrutiny because her name pops up on
> this "no-fly" list. We aren't complaining, just curious about the list.
>
> Is there some type of document someone could carry showing they aren't the
> person wanted on the list? How does the list work? Is there any public
> information available regarding the list?
>
> On a side note, our industry (there are many companies that do what we
> do),
> screens hundreds of thousands of people each week who are applying for
> jobs
> in the US. It would be a great tool for the US to have some sort of
> database or clearing house for wanted persons that we could either search
> or
> submit names for searches.
>
> Thanks,
>

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b7C

[redacted]