U.S. Department of Homeland Security
601 South 12th Street
Arlington, VA 20598

Transportation Security Administration

MAY 13 2010

The Honorable Leonard Lance
Member, U.S. House of Representatives
Attention: Mr. Glenn Mortimer
425 North Avenue East, Suite 101
Westfield, NJ 07090

Dear Congressman Lance:

Thank you for your letter of April 27, 2010, written on behalf of your constituent, (b)(6) expressed concern that his 12-year-old son, (b)(6) (b)(6) experiences delays when traveling due to his name appearing on a Federal terrorism watch list. In your letter, you requested an official letter from the U.S. Department of Homeland Security (DHS) stating that (b)(6) son cannot be removed from the Federal terrorism watch list at this time.

In a letter (copy enclosed) dated March 19, 2010, the Transportation Security Administration (TSA) responded to Deputy Majority Leader of the New Jersey General Assembly, Reed Gusciora, regarding the delays that (b)(6) son encounters. As TSA states in that letter, to confirm or deny that a particular individual is on a watch list would disclose sensitive security information (SSI) and be detrimental to the security of transportation. Therefore, DHS does not reveal this information. The Federal watch lists are appended to, and part of, security directives and emergency amendments issued to air carriers, and constitute SSI under government regulations. Title 49 of the United States Code, Section 114(s), exempts from disclosure information what would be "detrimental to the security of transportation."

Unfortunately, we cannot guarantee that (b)(6) son will not incur delays when traveling due to issues of misidentification. As stated in our letter (copy enclosed) to (b)(6) we recommend that he contact the designated office of the airline before his next flight to inquire about its procedures for collecting his full name and date of birth. The airline will likely be able to store his information or enroll him in its frequent flyer program. This may assist with the delays that he encounters.

In addition, (b)(6) son was assigned a Redress Control Number (b)(6) as a result of taking part in the redress process. Redress Numbers assigned to passengers can also help prevent misidentifying them on future flights. Passengers should be able to include this information when making flight reservations.

We appreciate that (b)(6) took the time to share his concerns with you and hope this information is helpful. If we may be of further assistance, please call the Office of Legislative Affairs at (571) 227-2717.

Sincerely yours,

LaVita LeGrys
Assistant Administrator
for Legislative Affairs

Enclosures (2)

U.S. Department of Homeland Security
Traveler Redress Inquiry Program (TRIP)
601 South 12th Street, TSA-901
Arlington, VA 20598-6901

Homeland Security

January 12, 2010

(b)(6)

Control Number: (b)(6)

Dear (b)(6)

Thank you for submitting your Passenger Identity Verification (PIV) form to the Transportation Security Administration. The PIV process has now been incorporated into the Department of Homeland Security (DHS) Traveler Redress Inquiry Program (TRIP). In response to your request, we conducted a review of applicable records in consultation with other Federal agencies, as appropriate. Where it was determined that a correction to records was warranted, these records were modified to address any delay or denial of boarding that you may have experienced as a result of the watch list screening process.

DHS cannot ensure your travel will always be delay-free, as this redress process does not affect other standard screening procedures in place at the security checkpoint. For example, an individual may be selected for additional screening in order to resolve a walk-through metal detector alarm, because of random selection, or based on certain non-identity factors reflected in reservation information. Additionally, this process may not eliminate the need to go to the ticket counter in order to obtain a boarding pass. For instance, an airline might still need a brief period of time to comply with identity verification requirements prior to issuing a boarding pass.

Based on our analysis of those persons who have applied for redress through DHS TRIP, more than 99 percent are not on a Federal watch list. DHS and the airlines have developed solutions to reduce inconvenience and facilitate remote check-in. Before your next flight, contact the designated office of the airline in advance to inquire about its procedures for collecting your full name and date of birth. The airline will likely be able to store your information or enroll you in its frequent flyer program, which may enable you to print your boarding pass at a kiosk or online.

This letter constitutes our final agency decision, which is reviewable by the United States Court of Appeals under 49 U.S.C. § 46110. If you have questions, you may contact the Transportation Security Administration (TSA) Contact Center at (866) 289-9673 or (571) 227-2900. To contact DHS TRIP, send an e-mail to TRIP@dhs.gov, or write to the following address:

DHS Traveler Redress Inquiry Program (TRIP)
601 South 12th Street, TSA-901
Arlington, VA 20598-6901

Sincerely,

Jim Kennedy
Traveler Redress Inquiry Program

U.S. Department of Homeland Security
601 South 12th Street
Arlington, VA 20598

MAR 1 9 2010

Transportation Security Administration

The Honorable Reed Gusciora
Deputy Majority Leader
New Jersey General Assembly
226 West State Street
Trenton, NJ 08608

Dear Assemblyman Gusciora:

Thank you for your letter of February 17, 2010, written on behalf nf your constituent, (b)(6) who believes that the name of his 12 year-old son, (b)(6) (b)(6) appears on a Federal terrorism watch list. As a result, (b)(6) son experiences delays when traveling. In your letter, you requested clarification regarding why (b)(6) was placed on the Federal watch list.

Confirming or denying that a particular name appears on a Federal watch list would disclose sensitive security information (SSI) and be detrimental to the security of transportation. Therefore, the U.S. Department of Homeland Security (DHS) does not reveal this information. Section 114(s) of title 49, United States Code, exempts from disclosure information what would be "detrimental to the security of transportation." The Federal watch lists constitute SSI under government regulations and are appended to, and part of, security directives and emergency amendments issued to air carriers.

(b)(6) submitted a Traveler Inquiry Form on behalf of his son, (b)(6) (b)(6) to the DHS Traveler Redress Inquiry Program (TRIP) and received a response (copy enclosed), dated January 12, 2010, confirming that DHS completed a review of his documentation. The redress program in which (b)(6) participated distinguishes passengers from persons who are on the watch lists by transmitting their information to the airlines, who can then more quickly determine that misidentified passengers are not the persons of interest whose names are on the watch lists.

The regrettable situation that (b)(6) and other travelers have experienced is one of the principal reasons the TSA is implementing Secure Flight. The early stages of Secure Flight's deployment are proceeding successfully, and we look forward to its full implementation for domestic flights in early 2010 and for all flights by the end of the year.

Until Secure Flight is fully operational, airlines are responsible for checking passenger information against the watch list. Misidentifications are often due to inconsistencies in airlines' processes in checking the passenger information against the watch list. TSA has worked with industry to provide the airlines with the ability to verify and securely store limited biographic information from travelers, including a date of birth. Allowing the

airlines to collect this information and verify it once at a ticket counter is all that is required for airlines to resolve misidentifications. We continue to stress to industry partners the need for accurate and timely misidentification resolutions. Unfortunately, until the Secure Flight is fully implemented, we cannot guarantee that (b)(6) son, (b)(6) will not incur delays when traveling due to issues of misidentification.

Before (b)(6) next flight, we recommend that his father contact the designated office of the airline in advance to inquire about its procedures for collecting his son's full name and date of birth. The airline will likely be able to store his son's information or enroll his son in its frequent flyer program, which may enable his son to print his boarding pass at a kiosk or online.

We appreciate that (b)(6) took the time to share his concerns with you and hope this information is helpful. If we may be of further assistance, please call the Office of Legislative Affairs at (571) 227-2717.

Sincerely yours,

LaVita LeGrys
Assistant Administrator
for Legislative Affairs

Enclosure

2513

Congressman Leonard Lance
7th District, New Jersey
23 Royal Road, Suite 101
Flemington, NJ 08822
Phone: 908-788-6900
Fax: 908-788-2869
www.lance.house.gov

Date: April 3, 2009

To: Tsa Weatherl

Fax Number: 202-272-1955

From: Aileen P. Egan

Pages: 2 (Including cover sheet)

RE: (b)(6)

Comments:

Tsa:

As we discussed, attacked please find the letter from (b)(6) requesting that his appeal be expedited. I would appreciate any information you could provide regarding this matter.

Thank you and I look forward to hearing from you.

Aileen

If all pages are not received in full, please contact us at (908) 788-6900.

814705- Previous W.F.
820386- TSA

836932 – (b)(6)

820386 = Previous closed W.F. on same (TSA) 4/09.