

From: [redacted]
To: [redacted]
Date: 7/23/02 10:51:33 AM
Subject: Re: No-Fly List

b7C -1

b6 -1

I would also add that OGC can help in the first category, establishing criteria, inasmuch as we can, per

[redacted]

b2 -4

b5 -1,2

b7E -1

pik

>>> [redacted] 07/23/02 10:16AM >>>

b7C -1

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

b6 -1

[redacted]
[redacted]
[redacted]
[redacted]
[redacted]
[redacted]

b5 -1,2

[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 -1,2

b7C -1

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.

b6 -1

Thanks// [redacted] Ext [redacted]

b2 -1

CC: CUMMINGS, ARTHUR M.; [redacted]

b7C -1

b6 -1

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Section 552a

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b7C -1

From: [redacted]

b6 -1

To: [redacted]

Date: 1/10/02 7:42:36 PM

Subject: FAA lists

I would again like to discuss the purpose of the FAA name lists and the actual situation that is transpiring out in the field. I'm ok with the No-Fly list - threat to aviation - if we identify you, you don't fly. period.

[redacted]

b2 -4

b5 -1,2

b7C -2

b7E -1

b6 -2

[redacted]

This whole issue needs to be revisited.

b2 -1

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

b7C -1

[redacted]@leo.gov

b6 -1

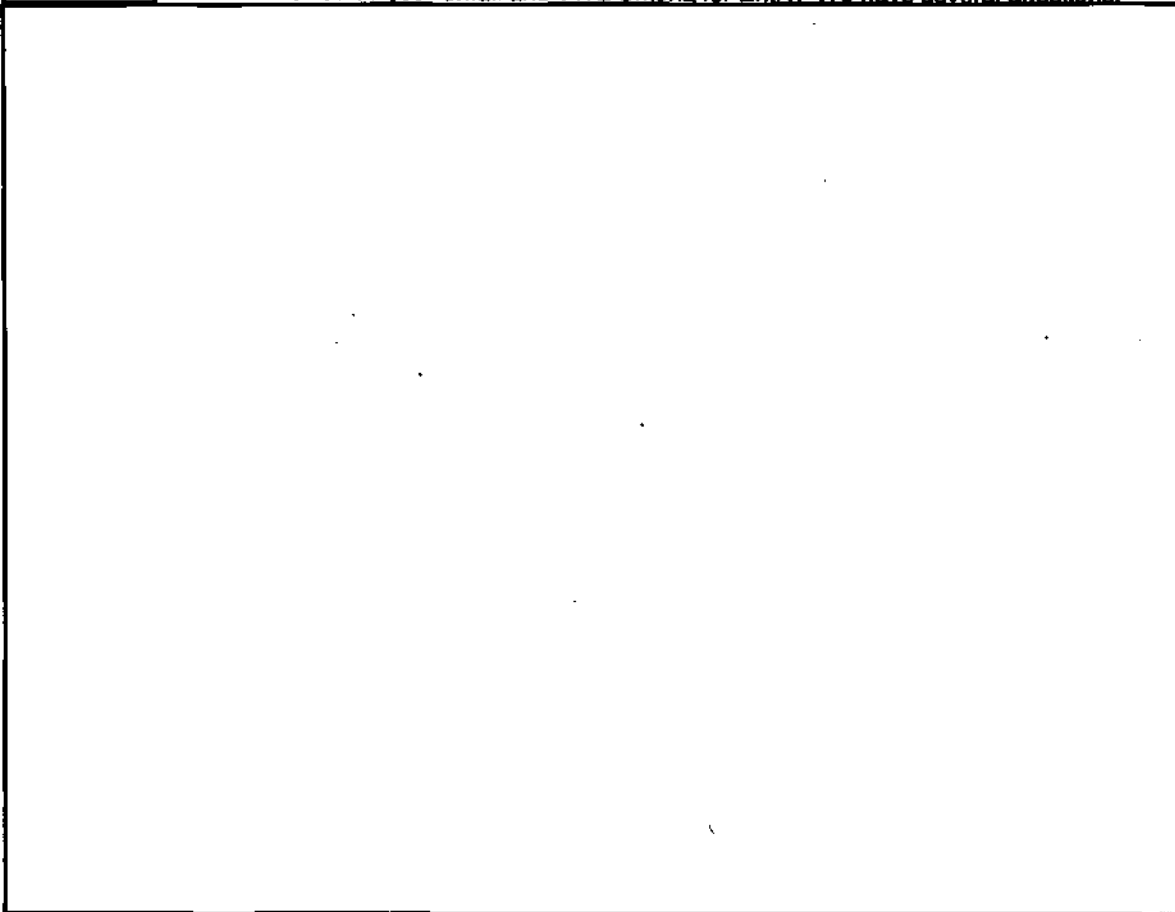
CC: [redacted]

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DATE 08-03-03 BY 460267 NLS/AG/CAL
CA 03-1779

From: [redacted]
To: [redacted]
Date: 10/9/02 1:14:21 PM
Subject: Re: Terrorism Watch List, etc.

b7C -1
b6 -1

[redacted] and I have reviewed your email and TWL Criteria for Entry. We have several questions.



b2 -4
b5 -1,2
b7E -1

These are just our preliminary thoughts. We would be happy to meet with you to address these issues.

>>> [redacted] 10/08/02 11:31AM >>>

SSA [redacted] and I have been working on an EC to field offices and Legats to summarize the evolution of the Terrorism Watch List (TWL), affirm criteria and protocols for TWL entries/removals, highlight ongoing TWL initiatives, and distinguish the TWL from other commonly-used watch lists.

b7C -1

One of the more frequent issues [redacted] and I deal with on a daily basis is confusion in the field regarding what exactly the TWL is. Many SAs feel the FBI's TWL and TSA's No Fly and Selectee Lists are one and the same. Others express confusion regarding which agency handles which watch list [redacted] and I have managed to pull together some information regarding some of the more commonly-used watch lists. Likewise, we have been meeting with representatives from those respective agencies who administer those watch lists to either validate or correct our understanding of their watch lists.

b6 -1

[redacted] as you know, we have been trying to work with TSA (a slow and interesting process) to resolve a lot of issues. In the interim, would you please review the attached "descriptions" of TSA's Lists to see if the descriptions are what you understand them to be? With the TWL EC we're working on, it is not our goal to send guidance to the field regarding TSA's lists. That will have to be handled in a subsequent communication, after we have worked out our differences with TSA. As such, I'm trying to keep the

b7C -1

b6 -1

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descriptions as brief as possible.

[redacted] we've tried to stay consistent with the criteria for entry onto the TWL, as it is for criteria for entry into VGTOF. [redacted] and I would welcome any feedback you might have. Also, for information of ALU, a communication will be forthcoming regarding the privacy impact assessment.

Attached hereto for [redacted] is the description of TSA's No Fly and Selectee Lists.

b7C -1

Attached hereto for NSLU and ALU are suggested criteria and protocols for entry/removal to the TWL.

b6 -1

Again [redacted] and I will welcome your input. We're trying to get a comprehensive communication out to the field as quickly as possible to answer a lot of frequently asked questions. Thanks.

CC:

Bowman, MARION; [redacted]

SUSSMAN-250

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(b)(9)

(k)(6)

(b)(6)

(k)(7)

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(k)(4)

(b)(4)

(b)(8)

(k)(5)

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(b)(6) - 1, 3

(k)(7)

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From:
To:
Date:
Subject:

[Redacted]

b7C -1

b6 -1

6/6/02 8:28:00 AM

No Fly Lists

[Redacted]

Ran into an interesting problem and would like your take on the matter:

Per what seems to be the growing trend, I took steps to help APD gain some autonomy in the No-Fly and Selectee Lists checking business. Specifically, I burned copies of both current lists, placed them in clearly marked folders, included a detailed instruction sheet on how to check the names and when to notify FBI, and gave a folder each to their communications section (dispatch) and their watch commander's office. The understanding was that as new lists were published, I would keep them updated.

I got a call this morning from APD dispatch, asking me to check a name on the list. When I told them to check the list I had given them, the dispatcher said she had no knowledge of such a list. Certain this could not be the case, I contacted the APD day watch commander, who advised me that [Redacted] the Airport Precinct Commander, had ordered the lists removed and destroyed, as APD "wasn't going to do the FBI's job for them." Have not been able to contact [Redacted] for comment, but it appears he does not want his people to have to take on the responsibility of actually checking the names on the list. (Prior to my giving APD copies of the list, the officer would respond to wherever the subject was, call [Redacted] or me, and we would give the thumbs up/down for the person to travel.)

b7C -1, 4
b6 1, 4

As you know, neither myself nor [Redacted] can make ourselves available 24-7 to respond to every John Thomas or Ahmed Ahmed who presents himself at a Hartsfield ticket counter. I guess we could go back to the old way, but it seems silly for [Redacted] or myself to relay information to APD which they could have in their own hands. Plus, your communications to the Airport Agents on this very subject seemed to indicate that the Bureau wants us out of the business of routine ID checks at ticket counters, limiting our involvement to matters which indicate the need for our INVESTIGATIVE involvement.

b7C -1
b6 -1

Of course, we'll handle the political situation with APD here in Atlanta, but I'd be interested in anything helpful you could add.

Regards,

[Redacted]

b7C -1

b6 -1

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CA # 03-1799

From: [redacted]
To: [redacted]
Date: 9/20/02 10:42:45 PM
Subject: Re: [redacted] and No Fly List

b6 -1,2
b7C -1,2

[redacted] Thanks for your reply. I will talk to you and [redacted] next week if possible.

>>> [redacted] 9/20/02 9:38:43 AM >>>

Hi [redacted] sorry about the disruption yesterday, I was distracted. I did have an opportunity to talk with [redacted] and I also included him in my last transmission. As for know my previous communication stands. I don't know what else to say. Maybe we can revisit this issue in the future. Thanks!

>>> [redacted] 09/20 8:22 AM >>>

[redacted] thanks for the info. P.S. We miss you in the BCRA. [redacted]

>>> [redacted] 09/17 1:21 PM >>>

[redacted] I wanted to get back with you concerning our conversation, 09/17/2002 and your request to have [redacted] removed from the no fly list. I have spoken with several individuals concerning this, TSA, and others, to try to get to the bottom of this [redacted]

b2 -4
b7C -1,2

[redacted] However, Unfortunately we are not going to be able to remove [redacted] name from the list. [redacted]

b7E -1

[redacted] Therefore, we do not want to be faced with this risk. If you have any other questions please feel free to get back with me. Thanks!
training camps the [redacted]

b6 -1,2

>>> [redacted] 08/21 1:05 PM >>>



Anyway, can you and the Terrorist Watch List Unit and [redacted] revisit this matter and see if you can get [redacted] off the list?

b5 -1,2

Thanks.

b7C -1,2

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

b6 -1,2

>>> [redacted] 8/20/02 3:41:04 PM >>>

Attached is an e-mail documenting concerns of a Hawaii resident by the name of [redacted] who is being frequently stopped and questioned at various airports based upon the similarity of his name with that of [redacted]. Can you offer any suggestions as to how this Hawaii resident can obtain some relief from this scrutiny. Can a computerised entry be made on the no-fly list that [redacted] with the particular biographical descriptors is not identical to [redacted]

b7C -1,2

Thanks,

b6 -1,2

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b2 -1

CAL 03-1779

From: [redacted]
To: [redacted]
Date: 9/17/02 8:01:50 PM
Subject: [redacted] and No Fly List

b7C -1,2

b6 -1,2

Wow, that is the most interesting explanation I've heard yet. I'm not sure it's valid - it just doesn't sound right. However, I will forward this to the airport agents so they know why he is still on the list. thank you for your efforts.

>>> [redacted] 9/17/02 1:21:56 PM >>>

[redacted]

b7C -1,2

b6 -1,2

>>> [redacted] 08/21 1:05 PM >>>

[redacted]

Anyway, can you and the Terrorist Watch List Unit and [redacted] revisit this matter and see if you can get [redacted] off the list?

b7C -1,2

b6 -1,2

Thanks.

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

b2 -1

b7C -1

b6 -1

>>> [redacted] 9/20/02 3:41:04 PM >>>

[redacted]

Attached is an e-mail documenting concerns of a Hawaii resident by the name of [redacted] who is being frequently stopped and questioned at various airports based upon the similarity of his name with that of [redacted]. Can you offer any suggestions as to how this Hawaii resident can obtain some relief from this scrutiny. Can a computerised entry be made on the no-fly list that [redacted] with the particular biographical descriptors is not identical to [redacted].

b7C -1,2

b6 -1,2

Thanks,

SSA [redacted] Counterterrorism Squad, Honolulu

b7C -1

CC: [redacted]

b6 -1

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CA 03-1779

SUSSMAN-255

From: [redacted]
To: [redacted]
Date: 9/18/02 9:07:35 AM
Subject: Fwd: Re [redacted] and No Fly List

b7C -1,2

b6 -1,2

I Under the rationale offered by [redacted]

b2 -4

[redacted] Maybe we should put her on the list.....

b7E -1

b6 -1,2

b7C -1,2

Unfortunately, eggheaded thinking like this muddies the waters to the point where the no-fly and selectee lists become virtually worthless (garbage in, garbage out). On the plus side, it strengthens FBIHQ's case regarding the limitation of TSA's 1B11 investigative authority.

Fly armed,

b7C -1

[redacted]

b6 -1

>>> [redacted] 09/17 8:05 PM >>>

I forward the attached for your information. Knowing this group, there will undoubtedly be some wise comments and observations, which I welcome.

Thanks.

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CA# 03-1779

From: [REDACTED]
 To: [REDACTED]
 Date: 9/30/02 9:52:27 AM
 Subject: No-Fly Question

b7C -1

b6 -1

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.

Steigman added he cannot state the criteria for placing someone on the list, because it's "special security information not releasable (to the public)." However, FBI spokesman Bill Carter said the Transportation Security Administration oversees the no-fly list: "You're asking me about something TSA manages. You'd have to ask TSA their criteria as far as allowing individuals on an airplane or not." In addition to their alarm that no agency seems to be in charge of the list, critics are worried by the many agencies and airlines that can access it. "The fact that so many people potentially have access to the list," ACLU lawyer Srikantiah said, "creates a large potential for abuse."

At least two dozen activists who have been stopped -- none have been arrested -- say they support sensible steps to bolster aviation security. But they criticize the no-fly list as being, at worst, a Big Brother campaign to muzzle dissent and, at best, a bureaucratic exercise that distracts airport security from

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09-03-1779

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b6 -1

looking for real bad guys. "I think it's a combination of an attempt to silence dissent by scaring people and probably a lot of bumbling and inept implementation of some bad security protocols," said Rebecca Gordon, 50, a veteran San Francisco human rights activist and co-founder of War Times, a San Francisco publication distributed nationally and on the Internet.

Gordon and fellow War Times co-founder Jan Adams, 55, were briefly detained and questioned by police at San Francisco International Airport Aug. 7 after checking in at the American Trans Air counter for a flight to Boston. While they were eventually allowed to fly, their boarding passes were marked with a red "S" -- for "search" -- which subjected them to more scrutiny at SFO and during a layover in Chicago. Before Adams' return flight from Boston's Logan International, she was trailed to the gate by a police officer and an airline official and searched yet again. While Gordon, Adams and several of the detained activists acknowledged minor past arrests or citations for participating in nonviolent sit-in or other trespassing protests, **FBI** spokesman Carter said individuals would have to be "involved in criminal activity" -- not just civil disobedience -- to be banned from U.S. airlines.

DEFINING AN ACTIVIST

But, Carter added, "When you say 'activists,' what type of activity are they involved in? Are they involved in criminal activity to disrupt a particular meeting? . . . Do you plan on blowing up a building? Do you plan on breaking windows or throwing rocks? Some people consider that civil disobedience, some people consider that criminal activity." Critics question whether Sister Virgine Lawinger, a 74-year-old Catholic nun, is the kind of "air pirate" lawmakers had in mind when they passed the law. Lawinger, one of the Wisconsin activists stopped at the Milwaukee airport on April 19, said she didn't get upset when two sheriff's deputies escorted her for questioning.

"We didn't initially say too much about the detainment, because we do respect the need to be careful (about airline security)," the nun recounted. "They just said your name is flagged and we have to clear it. And from that moment on no one ever gave me any clarification of what that meant and why. I guess that was our frustration." Five months later, the 20 members of Peace Action Wisconsin still haven't been told why they were detained. Even local sheriff's deputies and airline officials admitted confusion about why the group was stopped, when only one member's name resembled one on the no-fly list.

At the time, a Midwest Express Airlines spokeswoman told a Wisconsin magazine, the Progressive, that a group member's name was similar to one on the list and "the (Transportation Security Administration) made the decision that since this was a group, we should rescreen all of them." At a congressional hearing in May, Wisconsin Sen. Russ Feingold pressed **FBI Director Robert Mueller** about the Milwaukee incident, asking him pointedly for an assurance that the agency was not including people on the list because they had expressed opinions contrary to the policies of the U.S. government. Mueller's response: "We would never put a person on the watch list solely because they sought to express their First Amendment rights and their views."

DATABASE OF SUSPICION

The law orders the head of the Transportation Security Administration to work with federal intelligence and law enforcement agencies to share database information on individuals "who may pose a risk to transportation or national security" and relay it to airlines, airports and local law enforcement. It also requires airlines to use the list to identify suspect passengers and "notify appropriate law enforcement agencies, prevent the individual from boarding an aircraft or take other appropriate action." In November, Nancy Oden, a Green Party USA official in Maine, wound up being a suspect passenger and was barred from flying out of the Bangor airport to Chicago, where she planned to attend a Green Party meeting and make a presentation about "pesticides as weapons of war."

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.

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

b7C -1

b6 -1

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:



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SUSMAN 260-263

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XXXXXX

From: [redacted]
To: [redacted]
Date: 12/26/02 2:57:25 PM
Subject: Re: No Fly List Issue

~~SECRET~~

b7C -1
b6 -1

Hi [redacted]

No, I have not heard anything, but I would be pleased if the SACs would talk to someone about it. As with everything else these days, there probably needs to be an MOU between the TSA and all the submitting agencies that [redacted]

b1
b2 -4
b7E -1

[redacted]
[redacted]
[redacted] J(S)

[redacted]

b2 -4
b7E -1

I'm sorry I can't help you further, except that I will send a copy of the below email directly to [redacted]

By the way, I'm retiring from the FBI on 12/31, and SSA [redacted] will be the Civil Aviation Security Program manager, if you have further questions or need additional help. Please give my best to SAC Knowlton.

b7C -1
b6 -1

Regards [redacted]

>>> [redacted] 12/26/02 12:10:14 PM >>>

b1
b2 -4
b5 -1

Do you have any update on this matter?

Thanks,

[redacted]
[redacted]

b2 -1
b6 -2,6

>>> [redacted] 12/12 11:20 AM >>>

b7C -1
b6 -1
b7C -2,6

ASAC Pisterzi writes of a situation which I've brought to your attention, as well as to the TSI Watch, namely that we need to [redacted]

[redacted]
[redacted]
[redacted] J(S)

b1
b2 -4
b7C -3

Please talk to [redacted] to see if TSA will require the submitting agencies to put [redacted]

b7E -1

[redacted] J(S)

b3 -2
b6 -3

9-8-03
CLASSIFIED BY: UC60262NLS/AG/CAL
REASON: 1.5 (C)
DECLASSIFY ON: X(1)
CS# 03-1779

~~SECRET~~

SUSSMAN-264

as per CIA
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

~~SECRET~~

I'm sure an expeditious response will be most appreciated by all concerned. Thanks. [redacted]

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

b2 -1
b7C -1
b6 -1

>>> ALBERT J PISTERZI 12/10/02 12:08:13 PM >>>

[redacted]

SAC Knowlton would like a resolution to a recurring problem we've encountered in LV regarding a No-Fly List (NFL) issue.

[redacted]

[redacted] (S)

b1

[redacted]

b2 -4

[redacted] This problem has occurred several times over the past few months and has not been rectified. (S)

b7E -1

Your attention in this matter is very much appreciated.

b6 -2,6

AL

[redacted]

b2 -1

b7C -2,6

CC: Aviation-CAS Program; [redacted]

b7C -1

b6 -1

SUSSMAN-265

~~SECRET~~

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

b7C -1, 3, 4, 5
b7D -1
b6 -1, 3, 4, 5
b2 -2

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

[redacted]

[redacted]

[redacted]

[redacted]

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

b6 -3
b7C -3

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-12-03 BY UC60267NLS/AG/CAL
CA#03-1779

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

From: [redacted] (FBI) [mailto:[redacted]@leo.gov]
Sent: July 06, 2002 2:51 PM
To: [redacted] (E-mail); [redacted]
Cc: [redacted] (E-mail); [redacted] (E-mail)
Subject: Re: TSA No Fly List

b7C -1,3,4,5
b7D -1
b6 -1,3,4,5

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

b7C -1,2,5
b6 -1,2,5

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

From: [redacted] (FBI)" [redacted]@leo.gov>
To: [redacted]
[redacted]@faa.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

b7C -1,3,4,5
b7D -1
b6 -1,3,4,5

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 -1,2,5
b6 -1,2,5

[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

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

From: [redacted]
To: [redacted] (E-mail)" [redacted]@faa.gov
Cc: [redacted] (E-mail)" [redacted]@state.gov; [redacted]
(E-mail)" [redacted]@ost.dot.gov; [redacted] (E-mail)"

b2 -1
b7C -1,3,4,5
b7D -1
b6 -1,3,4,5

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DATE 8-8-03 BY 60267 NLS/AG/CL

CA#03-1779

SUSSMAN-267

[Redacted]

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

Hi - I'm working late, which gives me time to answer. I have been =
preaching the exact same problems here, but perhaps it will mean more to =
my bosses coming from you. Anyway, I met with TSA recently and it was =
quite revealing, so I'll give you the latest.

b2 -2

b7C -1,5

b7D -1

b6 -1,5

[Redacted]

b2 -4

b7C -1

b7D -1

b7E -1

b6 -1

[Redacted]

[Redacted]

[Redacted]

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

SUSSMAN-268

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Section 552

Section 552a

(b)(1)

(b)(7)(A)

(d)(5)

(b)(2) - 2,4

(b)(7)(B)

(j)(2)

(b)(3) - 1

(b)(7)(C) - 1,5

(k)(1)

Title 49, USC,
Section 114 per TSA

(b)(7)(D) - 1

(k)(2)

(b)(7)(E) - 1

(k)(3)

(b)(7)(F)

(k)(4)

(b)(4)

(b)(8)

(k)(5)

(b)(5)

(b)(9)

(k)(6)

(b)(6) - 1,5

(k)(7)

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Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

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(b)(1)

(b)(7)(A)

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(b)(2) - 2,4

(b)(7)(B)

(j)(2)

(b)(3)

(b)(7)(C) - 1,3,5

(k)(1)

(b)(7)(D)

(k)(2)

(b)(7)(E) - 1

(k)(3)

(b)(7)(F)

(k)(4)

(b)(4)

(b)(8)

(k)(5)

(b)(5) - 1

(b)(9)

(k)(6)

(b)(6) - 1, 3, 5

(k)(7)

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SUSSMAN 270

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XXXXXX

Reply-To: [redacted] (FBI)" [redacted]@leo.gov>
From: [redacted] (FBI)" [redacted]@leo.gov>
To: [redacted]
Bcc: [redacted] (DOT)" [redacted]@ost.dot.gov>
Subject: Re: TSA No Fly List
Date: Tue, 18 Jun 02 18:35:33 -0400

b7C -1,3,5
b7D -1
b2 -2
b6 -1,3,5

Hi [redacted]

Thank you for the email, and who is [redacted] - obviously TSA, but I've never met her. Is she an International rep or someone directly involved with the lists? I would welcome such a meeting, as our agents are having the same problems, but we are the ones giving the TSA the info, so it's hard to criticize ourselves. I've learned more about that since our last interaction and can talk to you about it if you want to call. The TSA maintains that they still only act as a conduit for the FBI and make no decisions about who or what to put on the list, but they refuse to coordinate the procedures with the FBI. The lack of coordination issue has been raised up pretty high now in the FBI due to questions posed to the Director for the hearings. I will keep you posted.

b7C -3,5
b6 -3,5

Thanks. [redacted]

b7C -1

[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
[redacted] (fax)

b6 -1

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

b2 -1

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

b7C -1,3,5
b6 -1,3,5

Sent: Tuesday, June 18, 02 12:18 PM
Subject: TSA No Fly List

b2 -4
b7C -3

[redacted]

b7D -1

[redacted]

b7E -1

b6 -3

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DATE 9-03 BY 1160267 NLS/AG/CAL
CA# 03-1779

SUSSMAN-271

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Section 552

Section 552a

(b)(1)

(b)(7)(A)

(d)(5)

(b)(2) - 4

(b)(7)(B)

(j)(2)

(b)(3)

(b)(7)(C) - 5

(k)(1)

Title 49, USC,
Section 114 per TSA

(b)(7)(D) - 1

(k)(2)

(b)(7)(E) - 1

(k)(3)

(b)(7)(F)

(k)(4)

(b)(4)

(b)(8)

(k)(5)

(b)(5)

(b)(9)

(k)(6)

(b)(6) - 5

(k)(7)

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SUSSMAN-272

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X No Duplication Fee X
X for this page X
XXXXXXXXXXXXXXXXXXXX

[Redacted]

JACKSONVILLE, FLORIDA 32207

PHONE: [Redacted]

b2 -1

FAX: [Redacted]

b7C -1,2,6

b6 -1,2,6

Date: 8/8/02 Time: _____

To: [Redacted] Sender: [Redacted]

From: [Redacted]

RE: NO fly wot

Telecopy #: [Redacted]

Number of pages (including cover): 1

Special Instructions: W/tn! [Redacted]

originals are in the Mail

If there is any problem with the enclosed telecopy, please call.

CONFIDENTIALITY NOTE

The documents accompanying this telecopy transmission contain information from the [Redacted] which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are the intended recipient, be aware that any disclosures, copying, distribution, or use of this information is prohibited. If you have received this telecopy in error, please notify us by telephone immediately so we can arrange for the retrieval of the original document.

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DATE 8-8-03 BY UC60267NLS/AG/CAL
CA#03-1779

b7C -2

b6 -2

August 6, 2002

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

b7C -1

b6 -1

RE: No fly list/deny boarding list.

Dear [redacted]

I am writing this letter to thank you for your effort in resolving my situation. As recommended I wrote a letter to the Corporate Security Offices of most of the North American Airlines. To help you remember my situation, I am attaching a copy of your e-mail to [redacted]

b7C -2,6

b6 -2,6

I have not heard from the Airlines and it may be some time before I receive a response from them. It may be extremely helpful for me if I could have a statement from you, on your stationary, indicating the fact that I am not the individual that the FBI is looking for.

Essentially, if I have a note stating [redacted] passport number [redacted] date of birth [redacted] social security number [redacted] resident at [redacted] in Jacksonville, Florida, born in [redacted] etc. is not the [redacted] that we are looking for".

b7C -2

b6 -2

I am assuming that if I can present this statement at the time of boarding an aircraft it would facilitate my processing.

I send my best regards and I wish you luck with catching the three bad guys that are causing me such anguish.

Sincerely,

[redacted signature block]

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DATE 8-9-03 BY UC60267 NLS/AG/CAL

SUSSMAN-274

CA#03-1779

[Handwritten signature]

From: [redacted]@leo.gov
Sent: Monday, July 29, 2002 3:47 PM
To: [redacted]
Cc: [redacted]
Subject: [redacted]

b2 -2
b7C -1
b6 -1

Dear [redacted]

Thank you for your email to explain [redacted] experience at Jacksonville Airport. Please understand that it is not [redacted] who is on the No Fly list, but similarly named people who may pose a danger to aviation. As you might imagine, [redacted] experience is repeated across the country with the more common names, both in Arabic and English. It's difficult to be too cautious. Procedurally, when people with names similar to names on the list present themselves at the ticket counter with their identification, airlines are given the option of determining for themselves that the passenger is not the person on the list. Some airlines either don't have the capability or don't accept the option to make the determination, and therefore they must contact the airport police for a decision. If the police were checking databases, it's possible they didn't want to render a decision until they were absolutely sure of who [redacted] was, or wasn't. Unless there is a real question as to whether [redacted] is the same as someone on the list, clearance should not take more than 5 minutes.

b7C -2
b6 -2

I just got off the phone with [redacted] and it sounds like a problem with the airlines at Jacksonville airport, because [redacted] advised that he didn't have the same problem at Dulles in D.C. I provided [redacted] with some guidance for contacting the airlines with whom he has a Frequent Flyer number, and also for initiating contact himself with the airport police prior to arrival at the airport, to give them a heads-up.

b2 -1
b7C -1,2,6
b6 -1,2,6

In the meantime, I know [redacted] spoke with someone today at the Jacksonville FBI office, but I didn't recognize the name of the person he spoke with. Therefore, I will be contacting two experienced aviation security agents in our Jacksonville office for follow-up at the airport to see if there is a problem which can be easily rectified.

b6 -2
b7C -2

Sincerely,

[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
[redacted] (fax)

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

From: [redacted]
To: [redacted]@leo.gov
Cc: [redacted]
Sent: Monday, July 29, 2002 2:55 PM
Subject: [redacted]

b2 -2
b7C -1,2,6
b6 -1,2,6

- > The FAA referred me to you regarding a "No Fly List" in which our [redacted]
- > [redacted] has inadvertently been put on. As he was
- > leaving Jacksonville this morning, he was detained for forty-five (45)
- > minutes (and almost missed his flight to New Orleans) to be run through
- > every computer database that was available by the local authorities. The

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CA# 03-1779

SUSSMAN-275

> local authorities suggested that he call the FBI to have his removed from
 > this so-called "No Fly List". The TSA and FAA were also notified by both
 > [redacted] office personnel, as well as myself. After numerous calls,
 > transfers, etc., we were directed back to the FBI.

> [redacted] is a very well-known and respected [redacted] here the
 > Jacksonville, FL area (please refer to his website: [redacted])
 > Quite often, he is required to travel out of state for seminars, business,
 > personal and other hospital related issues; and it is imperative that he
 > not

> be continually detained by the authorities. After the 9/11 terrorists
 > attacks, we understand the need for increased security; however, we hope
 > that [redacted] will not have to endure the humiliation and delay in travel
 > that he experienced this morning.

b6 -2,6

b7C -2,6

> His passport number is: [redacted] His date of birth is: [redacted]

> On Monday, July 29th, [redacted] will be meeting with the local FBI here in
 > Jacksonville, FL. If there is any further light you can shed on this
 > incident, it would be greatly appreciated.

> Sincerely,

[redacted signature block]

SUSSMAN-276

[Redacted]

[Redacted]

[Redacted]

[Redacted]

July 30, 2002

[Redacted]

Delta Airlines Inc.
Hartsfield Atlanta International Airport
Atlanta, Georgia 30320

ATTN: Corporate Security

b7C -1,2

b6 -1,2

RE: No fly list and/or deny boarding list

I am writing this letter on a suggestion from [Redacted] with the FBI office in Washington, DC. Apparently, three names similar to mine are currently included in the above list. During my recent travels I had significant difficulties boarding a plane because of the increased security. I understand the added security requirements that are mandated by the FBI and the homeland security needs.

[Redacted] with the FBI office in Washington, DC, has indicated that the airlines Corporate Security Offices are required to implement systems that will meet the security needs of law enforcement without creating a burden on innocent passengers like myself.

b7C -1

b6 -1

On July 12, 2002, while traveling thru Washington Dulles Airport I was delayed 20 minutes because my name came up in the system as matching a name in the list. On July 26, 2002 in Jacksonville International Airport I was detained for 45 minutes by police officers at the airport because my name matched a name on the list. I was eventually allowed to board the airplane but not before causing me great anguish.

The name [Redacted] cannot be removed from the list until the issues of the three individuals mentioned in the list are resolved. I understand this. However, I believe that your agency can include some information in your system to identify me as someone that was already cleared by the FBI and should be allowed to board without unnecessary delays.

I am enclosing a complete set of information about myself in the attached sheet of paper. I am also sending you copies of my passport, driver's license and a few of my frequent flyer numbers. If you have any questions please call me. Moreover, if you have any questions about your duties and your responsibilities to US Citizens please contact [Redacted] at the FBI office in Washington, DC. If you need to contact me directly, my cell phone is [Redacted]

b7C -2

With kindest regards,

b6 -2

[Redacted Signature]

cc: [Redacted] FBI Supervisory Special Agent

SUSSMAN-277

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DATE 08-03 BY 60267 NLS/AG/COL
CA# 03-1779

[Redacted]

b7C -2

b6 -2

[Redacted]

My name is [Redacted] my middle initial is [Redacted]

My full name is [Redacted]

Social Security Number: [Redacted]

Date of Birth [Redacted]

Place of birth: [Redacted]

My US Passport Number is [Redacted]

My United Airlines Frequent Flyer Number is [Redacted]

My Delta Frequent Flyer Number is: [Redacted]

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Section 552

Section 552a

(b)(1)

(b)(7)(A)

(d)(5)

(b)(2)

(b)(7)(B)

(j)(2)

(b)(3)

(b)(7)(C) - 1

(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) - 2

(k)(7)

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b7C -2

b6 -2

August 6, 2002

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

RE: No fly list/deny boarding list.

b7C -2

Dear [redacted]

b6 -2

I am writing this letter to thank you for your effort in resolving my situation. As recommended I wrote a letter to the Corporate Security Offices of most of the North American Airlines. To help you remember my situation, I am attaching a copy of your e-mail to [redacted]

I have not heard from the Airlines and it may be some time before I receive a response from them. It may be extremely helpful for me if I could have a statement from you, on your stationary, indicating the fact that I am not the individual that the FBI is looking for.

Essentially, if I have a note stating [redacted] with passport number [redacted] date of birth [redacted] social security number [redacted] resident at [redacted] in Jacksonville, Florida, born in [redacted] etc. is not the [redacted] that we are looking for".

b7C -1

b6 -1

I am assuming that if I can present this statement at the time of boarding an aircraft it would facilitate my processing.

I send my best regards and I wish you luck with catching the three bad guys that are causing me such anguish.

Sincerely,

[redacted signature block]

b7C -2

b6 -2

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DATE 8-8-03 BY 11660267 NLS/AG/COL
CA#03-1779

SUSSMAN-280

b7C -2

b6 -2

July 30, 2002

Delta Airlines Inc.
Hartsfield Atlanta International Airport
Atlanta, Georgia 30320

ATTN: Corporate Security

b7C -1

RE: No fly list and/or deny boarding list

b6 -1

I am writing this letter on a suggestion from [redacted] with the FBI office in Washington, DC. Apparently, three names similar to mine are currently included in the above list. During my recent travels I had significant difficulties boarding a plane because of the increased security. I understand the added security requirements that are mandated by the FBI and the homeland security needs.

[redacted] with the FBI office in Washington, DC, has indicated that the airlines Corporate Security Offices are required to implement systems that will meet the security needs of law enforcement without creating a burden on innocent passengers like myself.

On July 12, 2002, while traveling thru Washington Dulles Airport I was delayed 20 minutes because my name came up in the system as matching a name in the list. On July 26, 2002 in Jacksonville International Airport I was detained for 45 minutes by police officers at the airport because my name matched a name on the list. I was eventually allowed to board the airplane but not before causing me great anguish.

The name [redacted] cannot be removed from the list until the issues of the three individuals mentioned in the list are resolved. I understand this. However, I believe that your agency can include some information in your system to identify me as someone that was already cleared by the FBI and should be allowed to board without unnecessary delays.

I am enclosing a complete set of information about myself in the attached sheet of paper. I am also sending you copies of my passport, driver's license and a few of my frequent flyer numbers. If you have any questions please call me. Moreover, if you have any questions about your duties and your responsibilities to US Citizens please contact [redacted] at the FBI office in Washington, DC. If you need to contact me directly, my cell phone is [redacted]

With kindest regards,

[redacted signature block]

b7C -1

b6 -1

cc: [redacted] FBI Supervisory Special Agent

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CA# 03-1779

SUSSMAN-281

[Redacted]

My name is [Redacted] my middle initial is [Redacted]

My full name is [Redacted] or [Redacted]

Social Security Number [Redacted]

Date of Birth [Redacted]

Place of birth: [Redacted]

My US Passport Number is [Redacted]

My United Airlines Frequent Flyer Number is [Redacted]

My Delta Frequent Flyer Number is: [Redacted]

b7C -2

b6 -2

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SUSSMAN-282

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FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

Section 552

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)

- Information pertained only to a third party with no reference to the subject of your request or the subject of your request is listed in the title only.
- Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

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1 Pages were not considered for release as they are duplicative of SUSSMAN 279

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The following number is to be used for reference regarding these pages: SUSSMAN 283

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X Deleted Page(s) X
X No Duplication Fee X
X for this page X
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FILE

From: [redacted]@leo.gov
Sent: Monday, July 29, 2002 3:47 PM
To: [redacted]
Cc: [redacted]
Subject: [redacted]

b2 -2
b7C -1,2,6
b6 -1,2,6

Dear Ms. [redacted]

Thank you for your email to explain [redacted] experience at Jacksonville Airport. Please understand that it is not [redacted] who is on the No Fly list, but similarly named people who may pose a danger to aviation. As you might imagine, [redacted] experience is repeated across the country with the more common names, both in Arabic and English. It's difficult to be too cautious. Procedurally, when people with names similar to names on the list present themselves at the ticket counter with their identification, airlines are given the option of determining for themselves that the passenger is not the person on the list. Some airlines either don't have the capability or don't accept the option to make the determination, and therefore they must contact the airport police for a decision. If the police were checking databases, it's possible they didn't want to render a decision until they were absolutely sure of who [redacted] was, or wasn't. Unless there is a real question as to whether [redacted] is the same as someone on the list, clearance should not take more than 5 minutes.

b7C -2
b6 -2

I just got off the phone with [redacted] and it sounds like a problem with the airlines at Jacksonville airport, because [redacted] advised that he didn't have the same problem at Dulles in D.C. I provided [redacted] with some guidance for contacting the airlines with whom he has a Frequent Flyer number, and also for initiating contact himself with the airport police prior to arrival at the airport, to give them a heads-up.

In the meantime, I know [redacted] spoke with someone today at the Jacksonville FBI office, but I didn't recognize the name of the person he spoke with. Therefore, I will be contacting two experienced aviation security agents in our Jacksonville office for follow-up at the airport to see if there is a problem which can be easily rectified.

b7C -2
b6 -2

Sincerely,

[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 -1
b7C -1,2,6
b6 -1,2,6

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

From: [redacted]
To: [redacted]@leo.gov
Cc: [redacted]
Sent: Monday, July 29, 2002 2:33 PM
Subject: [redacted]

> The FAA referred me to you regarding a "No Fly List" in which our [redacted]
> [redacted] has inadvertently been put on. As he was
> leaving Jacksonville this morning, he was detained for forty-five (45)
> minutes (and almost missed his flight to New Orleans) to be run through
> every computer database that was available by the local authorities. The

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SUSSMAN-284

> local authorities suggested that he call the FBI to have his removed from
> this so-called "No Fly List". The TSA and FAA were also notified by both
> [redacted] office personnel, as well as myself. After numerous calls,
> transfers, etc., we were directed back to the FBI.

>
> [redacted] is a very well-known and respected physician here the
> Jacksonville, FL area (please refer to his website: [redacted]).
> Quite often, he is required to travel out of state for seminars, business,
> personal and other hospital related issues; and it is imperative that he
> not
> be continually detained by the authorities. After the 9/11 terrorists
> attacks, we understand the need for increased security; however, we hope
> that [redacted] will not have to endure the humiliation and delay in travel
> that he experienced this morning.

>
> His passport number is: [redacted]. His date of birth is: [redacted]

b6 -2,6

>
> On Monday, July 29th, [redacted] will be meeting with the local FBI here in
> Jacksonville, FL. If there is any further light you can shed on this
> incident, it would be greatly appreciated.

b7C -2,6

>
> Sincerely,

> [redacted signature block]

SUSSMAN-285

[redacted]@leo.gov
Sent: Friday, July 05, 2002 9:51 AM
Subject: TSA No Fly List

b7C -1
b2 -1
b6 -1

[redacted]

There is a specific case involving the TSA List which is a slightly bigger problem for us. The list contains the name [redacted]

In [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. The problem is our Mr. [redacted] is the [redacted]

b7C -2
b7D -1
b6 -2

[redacted] which means that he a member of [redacted] [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 [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.

b7D -1

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.

Happy 4th!

[redacted]

b7C -5
b6 -5

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SUSSMAN-286

Criteria to go on

Criteria to take off

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CRF 03-1779

b2 -1,4

b6 -1

b7C -1

b7E -1

TSA ~~will~~ will only take off from that FBI site
being taken
[redacted] unit (Was RFU) - depends on [redacted] threat
to civil aviation

[redacted] - CTB Dom Terr Section - ~~Review~~
Reviews bits from TSA + documents from
(She ~~was~~ replaced [redacted])

Pepe ~~should~~ call her a lot -
Good person to start with - [redacted]

②

①

[redacted] may be working w/ this

b2 -4

b7E -1

24/7 C/T Watch (Frat [redacted]) get calls from
or insert

4. Watch Lists

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Number of different lists

9/11 - Project Lookout Watch List (450 names)

Widely disseminated

Pared down, threats to air travel turned over to FBI

Eliminated on 10-23-01

Terrorism Watch List established March, 2002

Protocols for addition and removal of names

Through VGTOF, [redacted]

b2 -4

b7E -1

TSA maintains 2 lists: (1) No Fly List and (2) Selectee List [redacted]

Names from various sources, but attributed to FBI

Poor Identifiers

No Fly List - FBI called upon to investigate

No removal process

Investigative Law Unit involved

[redacted]

b2 -4

b7E -1

[redacted]

[redacted]

NSLU working with DOJ, INS on MOU

Recommendations:

[redacted]

b5 -1

b2 -4

b7E -1

*Ask of
Larry Medford
→ mechanism to
get some
off &
make sure
is correct*

b7C -1

b6 -1

Chickley
[redacted]

b7C -1

b6 -1