



TSA Watch Lists

December 2002

Angela H. Stubblefield

TSA Transportation Security Intelligence Service



Topics for Discussion

- Background & Evolution
 - Pre & Post September 11, 2001
- “The Lists”
 - Criteria & Requirements
- Implementation
 - Air Carriers & LEOs
- Problems and Issues
 - TSA Initiatives

UNCLASSIFIED

Mathison, Ted

From: Wolf, Chad
Sent: Monday, December 02, 2002 4:33 PM
To: Mathison, Ted
Subject: FW: No Fly

Chad F. Wolf
Special Assistant to the Associate Under
Secretary for Security Regulation & Policy
U.S. Department of Transportation
Transportation Security Administration
Room 3034, GSA Building
400 Seventh Street, S.W.
Washington, DC 20590
Tel: (202)385-1257
Fax: (202)493-1735
chad.wolf@tsa.dot.gov

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

From: Sieger, Cori
Sent: Monday, December 02, 2002 2:48 PM
To: Wolf, Chad
Cc: McColley, Susan <OST>
Subject: No Fly

Chad, thanks for the help. Attached is an article about this gentleman. Susan is going to get us [REDACTED] Please note, Mr. Mussara is a retired Coastie.

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Military retiree on FBI list
NOT CLEARED TO FLY: Larry Musarra doesn't know why his name shows up.

The Associated Press
(Published: September 16, 2002)

Juneau -- Larry Musarra's trouble with the FBI began in late June, when the retired Coast Guard lieutenant commander, his wife, LinnDe, and their 12-year-old son, Tim, checked in at the Juneau Airport.

They were on their way to Portland, Ore., where Tim, who is disabled, would attend a special school.

At the Alaska Airlines electronic check-in kiosk, Musarra typed in his confirmation code and the machine displayed a message asking him to see an attendant.

At the counter, Musarra and his family waited while the customer service representative clicked on a keyboard. The clerk became puzzled and said she couldn't get a boarding pass either. She called her supervisor. They called Seattle. Finally, 30 minutes later, the supervisor explained.

"She said, 'We are having trouble clearing your name. Actually, we can't clear your name. You are on an FBI list,'" Musarra said.

Musarra, 47, is a father of three who works for the U.S. Forest Service at the Mendenhall Glacier Visitor Center. He is white, of Italian and Irish ancestry, and was born in New Jersey. He has lived in and flown out of Juneau for seven years. Because of his work with the Coast Guard and the Forest Service, he has

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December 23, 2002

TO: Tom Blank

FROM: Ted Mathison

SUBJECT: Watch List False Positive - Mr. [REDACTED]

As follow up to the December 20, 2002 memorandum, same subject, a check with the TSA Secretariat and the Customer Response Center indicates there is no previous or open written correspondence pertaining to Mr. [REDACTED]. However, TSA responded on July 18, 2002 to Congresswoman Louise Slaughter (NY) who had written on behalf of a Mr. [REDACTED]. Mr. [REDACTED] has had difficulty obtaining clearance from several air carriers for weekly flights between Rochester, NY and Harrisburg, PA. Apparently, Mr. [REDACTED] name is identical to an individual on the No Fly Watchlist.

The TSA July 18, 2002 response, Attachment No. 1, stated: "Now we have modified procedures so that airlines can use procedures to determine if a name match requires law enforcement notification. While this has not eliminated the delay a passenger might experience when his or her name matches a name on our Watch List, it has certainly minimized the delays for those persons who can be cleared by the airline". No details were provided as to the "modified procedures", but apparently Mr. [REDACTED] has had some success with flight clearances from the air carriers.

Subsequently, Congresswoman Slaughter wrote to TSA forwarding a recommendation from Mr. [REDACTED] that a "Trusted Traveler" screening process be implemented. The proposed response, Attachment No. 2, is being held by the Secretariat pending our review of the [REDACTED] situation. TSA Intelligence confirmed again today Mr. [REDACTED] is not on the Selectee or the No Fly Watch Lists; it also confirmed background information for the Mr. [REDACTED] on the No Fly list includes date of birth and nationality. This should facilitate air carrier clearance of persons with like or similar names. Accordingly, there is no reason to hold the response to Congresswoman Slaughter concerning Mr. [REDACTED] suggestion, and a verbal response can be provided to the Council on American Islamic Relations relative to Mr. [REDACTED].

The verbal response would be along the lines outlined in the December 20 memorandum. In addition, it will be suggested that whenever Mr. [REDACTED] makes an air carrier reservation, he email the carrier in advance with his date of birth and other identifying information.

Attachments: as

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United States Department of Transportation
TRANSPORTATION SECURITY ADMINISTRATION

400 Seventh Street, S.W.
Washington D.C. 20590

JUL 18 2002

The Honorable Louise Slaughter
Member, United States House of Representatives
3120 Federal Building
100 State Street
Rochester, NY 14614-1309

Dear Congresswoman Slaughter:

Thank you for your March 19 letter on behalf of Mr. [REDACTED] expressing disappointment in the passenger screening procedures at Rochester International Airport on February 17 and 18, and at Harrisburg International Airport on February 21. We appreciate your letting us know of the difficulties Mr. [REDACTED] encountered.

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The Transportation Security Administration (TSA) has issued a directive to airlines requiring that they compare passengers names to those provided to the TSA in the form of a Watch List, provided by other federal law enforcement agencies. When this process began, we required that a law enforcement officer be summoned every time there was a name match from the Watch List to a passenger checking in for a flight. Now we have modified the procedures so that the airlines can use established procedures to determine if a name match requires law enforcement notification. While this has not eliminated the delay a passenger might experience when his or her name matches a name on our Watch List, it has certainly minimized the delays for those persons who can be cleared by the airline.

If you or a member of your staff needs further assistance, please contact Mr. Sean B. O'Hollaren, Assistant Secretary for Governmental Affairs, at (202) 366-9714.

Sincerely yours,

Willie J. Gripper, Jr.
Director, Civil Aviation Security Operations

Enclosure
Transmitted Correspondence

cc: Washington Office

Attachment No. 1

0023

Mathison, Ted

From: Mathison, Ted
Sent: Thursday, December 19, 2002 1:49 PM
To: McColley, Susan <OST>; Sieger, Cori; Wolf, Chad
Cc: Calhoun, Derrick
Subject: FW: False Positive Problem

Reference the attached instructions to assist Mr. Musarra which should help in the short term. However, the procedures outlined therein will not enable him to make reservations on line, etc. without again being flagged.

As background information, which is still being researched and thus not appropriate to share outside of DOT at this time, one of the underlying problems is the way the air carrier computer reservation systems

[REDACTED] Add to that the difficulties the carrier is having in marrying up the names on the lists with the respective biographical information, one begins to understand the magnitude of the problem. At this point in time, there appears to be neither an easy nor quick fix of the problem, but we are working on it diligently.

This being the case, would it be prudent for Public Affairs to craft a set piece that can be used to respond quickly to media and similar inquiries until we can fix the problem?

If you have any questions, please do not hesitate to contact me. Ted

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1520.S(b)(9)(i)
1520.S(b)(9)(ii)

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

From: Angela Kelly (mailto:angela.kelly@alaskaair.com)
Sent: Thursday, December 19, 2002 12:40 PM
To: Mathison, Ted
Cc: Calhoun, Derrick ; McColley, Susan <OST>; Sieger, Cori; Wolf, Chad; heidi.scott@alaskaair.com
Subject: Re: False Positive Problem

Ted,

Per our phone conversation, Mr Musarra can contact Heidi Scott of our Corporate Security office to be assisted for pre-clearance prior to Mr Musarra arriving at the airport. Her contact information is Heidi.Scott@alaskaair.com or [REDACTED]

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In addition, his reservation is flagged because of [REDACTED] on the no fly list.] b3: 1520.S(b)(9)(ii)

Thanks for your help. If there is anything I can do, please don't hesitate to contact me. Alaska Airlines definitely wants a solution since we have 1 lawsuit already pending due to this issue.

Sincerely,

Angela Kelly
Alaska Airlines
Manager, Aviation Security Compliance
[REDACTED] b6
SEAZK
Angela.Kelly@alaskaair.com

Ted.Mathison@tsa.dot.gov writes:

>
>
>Angela,
>Reference the attached article concerning Mr. Musarra. Can you shed any light

Memorandum for the Record

SUBJECT: Watchlist Discussion with Angela Stubblefield

From: Ted Mathison

Date: December 5, 2002

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The oversigned discussed the situation of a [REDACTED] who frequently has been subjected to No Fly or Selectee list restrictions when trying to board air carrier flights. Angela Stubblefield indicated [REDACTED] is not on either TSA watchlist. However, it is possible he could be on a U.S. Immigrations Service "Prevent Departure" list; or possibly [REDACTED] is being singled out by the air carrier's reservation system. [REDACTED]

[REDACTED] Thus, the traveler's name may be linked to an individual on one of the watchlists. [REDACTED]

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[REDACTED]

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It appears that in some cases the air carriers are passing false positive situations to the TSA for resolution. Currently, about 30 calls per day are received from the carriers for this purpose. It has been suggested by some in the TSA that the Administration be the clearinghouse for all false positive situations, or alternatively, TSA publish a "cleared to fly" list. With over 1,000 names currently on the watchlists, this would be a major undertaking for TSA.

The air carriers, according to EA 1546-01-17A, are required to [REDACTED] According to Angela, not all air carriers comply with this requirement.

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Another problem stems from the LEOs, who must attempt to resolve a false positive, not having access to the watchlists. The air carriers have had the responsibility of providing the watchlists to the FSDs who in turn provide them to the LEO.

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Mathison, Ted

From: Sieger, Cori
Sent: Monday, December 09, 2002 8:46 AM
To: Wolf, Chad
Cc: Mathison, Ted
Subject: RE: no-fly follow-up questions

Chad and Ted, thanks so much--this is great and I'll get the info to the staffers with appropriate SSI warnings, of course.

Thanks again!

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

From: Wolf, Chad
Sent: Sunday, December 08, 2002 1:15 PM
To: Sieger, Cori
Cc: Mathison, Ted
Subject: no-fly follow-up questions

Cori,
this is in response to the few questions we recieved when we briefing the Hill on the Watchlists. I thought this was taken care of so I apologize for the late response. Just to refresh, I believe the best way to answer the questions is by an informal phone call rather than a formal letter. as you know, this is a sensitive matter and it would be best for all if communication on this subject could be kept verbal.

Here are the questions as I see them:

Q: How many "false positives" occur and does TSA keep track of them? If so, how many are on record?

A: While a few carriers keep track of "false positives," the majority do not. Consequently, TSA does not have the ability to record this data nor is there a pressing need to do so. TSA believes the most effective way to avoid "false positives" is to be sure the intelligence organizations provide sufficient biographical information about an individual before that person is placed on either watchlist - No-Fly or Selectee. TSA is working to develop clear guidelines to this end.

Q: How many individuals on the lists are U.S. citizens?

A

I believe there was a question regarding the CR - that has been overtaken by events. I would ignore that one. All of the information is SSI - please insist that they not distribute to general public.

Cori, I'll let you make the appropriate phone calls to those staffers who asked and were interested in these questions.

Special thanks to Ted for bringing this info together. We'll let you know how the [redacted] issue is coming this week. thanks,

Chad F. Wolf
Special Assistant to the Associate Under
Secretary for Security Regulation & Policy
U.S. Department of Transportation
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Mathison, Ted

From: Kearney, Patrick
Sent: Monday, December 16, 2002 5:56 PM
To: Mathison, Ted
Subject: RE: Release of Information

Ah ha! I think that I have the answer for you -- if I understand the question.

[REDACTED]

Let me know if that answers your question.

patrick

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

From: Mathison, Ted
Sent: Monday, December 16, 2002 5:20 PM
To: Kearney, Patrick
Subject: FW: Release of Information

Patrick,
My understanding is that you are our "man in Havana" concerning SSI. What are your thoughts about the attached?

Barney

[REDACTED]

Your thoughts will be most appreciated.
Ted

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

From: Gary, Barney
Sent: Wednesday, December 11, 2002 4:52 PM
To: MCCLELLAN, VICTOR; Mathison, Ted
Subject: Release of Information

In thinking about our meeting yesterday concerning the release for the No Fly List to the

[REDACTED]

(Apparently, there is some history to that specific request.)

[REDACTED]

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Please let me know your thoughts.

Regards,

Barney M. Gary
Associate Director
Office of Law Enforcement and Security Liaison
202-385-1379

0045



Transportation Security Administration

MEMORANDUM

To: Tom Blank

Date: December 17, 2002

From: Ted Mathison

Re: Meeting - Watchlist "False Positive" Problem: December 18, 2002, 3:00 p.m.

Meeting Overview

To discuss the proposed Watchlist policy generally and to solicit air carrier support for efforts to reduce the incidents of "false positives", i.e., the mistaken identification of air travelers who are not on either of the two TSA watchlists.

Attendees

Chris Biddwell, ATA; Dick Doubrava, ATA
Ron Priddy, NACA
Ed Faberman, ACAA

Length of Meeting

Approximately 1:00 hour; Location: Conference Room 3522

Issues

TSA is developing a policy to strengthen the process whereby watchlists for the protection of commercial aviation are developed and distributed to the air carriers, FSDs, LEOs and others (Attachment No. 1). The policy is intended to clarify the criteria for placing individuals on either the Selectee or No Fly list depending upon the specific threat to aviation posed by each individual. In addition, the policy will require certain biographical information about each individual before he/she is placed on a list. This information will assist air carriers and LEOs in identifying individuals on the watchlists when they present themselves for air travel. Also it will reduce the number of "false positives". The problem of "false positives" is compounded by air carrier reservation systems

[Redacted]

(Attachment Nos. 2 and 3)

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Things to Watch Out For

We want the air carriers to be: (1) sensitive to the "false positive" problem as it impacts negatively their customers and detracts from the effectiveness of the watchlist program; and (2) proactive in pressuring their reservation system providers to address the [redacted] and reduce mistaken identification of individuals who are not on a TSA watchlist. The air carriers should understand clearly the [redacted] is theirs to fix.

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1520.5(b)(2)(i)
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Attachments

- No. 1: Draft Policy No. 7, dated December 11, 2002
- No. 2: Alaskan Airlines Email dated December 11, 2002
- No. 3: Alaskan Airlines Email dated December 16, 2002

-Sec Document No. 34

cc: Clint Fisher w/attachments
Tonie Myers "
Chad Wolf "

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