



SENSITIVE SECURITY INFORMATION

Date: March 19, 2018
To: Federal Security Directors
From: Susan Hasman, Director of Security Operations Coordination, Office of Security Operations
Subject: 400.5 – ROUTINE – OD-400-18-12 -TSA Watch List (Security Notification)
Cc: N/A
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References: None

Attachments:

A)



OD 400-18-12 TSA
Watch List (Security

Purpose: The attached Operations Directive (OD) titled Transportation Security Administration (TSA) Watch List (Security Notification) has been updated to reflect a new directive number. Effective immediately, the new directive number is OD-400-18-12. The content in the OD has not changed.

The OD notifies Federal Security Directors (FSD) of the implementation of the TSA Watch List (Security Notification), also referred to as the 9995 List, to provide FSDs and other field personnel with advance notice that an individual on this list has expected travel and may present challenges to the effective and efficient application of TSA procedures, including inappropriate, physical contact with a Transportation Security Officer or may pose a threat to transportation security as further described in the attached OD.

OD-400-18-12: TSA Watch List (Security Notification) provides direction and guidance on how to operationalize the use of this list at the checkpoint and how to nominate individuals to the list.

Please contact the POCs listed above if you have any questions.

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Transportation
Security
Administration

Office of Security Operations

March 19, 2018

Operations Directive

OD 400-18-12: Transportation Security Administration Watch List (Security Notification)

Expiration Indefinite

This Operations Directive (OD) is effective immediately.

Summary

On February 4, 2018, the Transportation Security Administration (TSA) Administrator authorized the creation of the TSA Watch List (Security Notification) (also referred to as the 9995 List) to provide Federal Security Directors (FSDs) and other field personnel with advance notice that an individual on this list has expected travel and may present challenges to the effective and efficient application of TSA procedures, including inappropriate physical contact with a TSO, or may pose a threat to transportation security as further described in this OD. This OD provides direction and guidance to FSDs on nominating individuals to the TSA Watch List (Security Notification) and the responsibilities and protocol for instances when a match to the watch list is encountered.

Background

TSA maintains watch lists of individuals to mitigate threats to aviation security. The responsibility for the day-to-day operation of TSA Watch Lists has been delegated to TSA Office of Intelligence and Analysis (OIA). Under the Administrator's delegation of authority, only the Administrator, Deputy Administrator, and Assistant and Deputy Assistant Administrators for OIA are authorized to add and remove individuals from TSA Watch Lists. These designated officials may add individuals who meet established criteria to a TSA Watch List independently or upon review of a nomination from an FSD, Supervisory Air Marshal in Charge (SAC), or equivalent.

Individuals warranting nomination to the TSA Watch List (Security Notification) include, but are not limited to:

- Individuals who make intentional, unwarranted contact with a TSA employee. This includes an individual making physical contact with a TSA employee (including canine) in the course of the employee's duties and that physical contact is offensive or otherwise without legal justification. An intent to injure or cause physical pain is not required, nor is an actual physical injury.
 - Examples include individuals who swat away the hand of a TSA employee or spit, grab, or push a TSA employee.
 - If the contact is sufficient to injure the TSA employee or prevent the completion of screening, placement on the TSA Watch List (Enhanced Screening) may be warranted.

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- Individuals who may pose a threat to transportation security, including individuals who:
 - May present identified challenges to the safe and effective completion of screening or the safe and efficient operation of the screening checkpoint;
 - Have demonstrated efforts to engage in social engineering directed at TSA employees in an effort to avoid effective application of screening procedures but do not appear to seek to introduce any prohibited item into the sterile area;
 - Loiter near screening checkpoints or otherwise seek an opportunity to bypass the Travel Document Checker or enter the screening checkpoint without a boarding pass; or
 - Threaten or have threatened to commit an act intended to disrupt effective and efficient screening operations.

In addition, individuals who are the subject of a credible threat of violence, are otherwise publicly notorious, or may be targeted with an act of violence at the airport may be nominated to the TSA Watch List (Security Notification). This OD does not require nomination of individuals who meet these criteria; FSDs may consider such nominations on a case-by-case basis, considering the credibility of the threat and whether notification would help to ensure sufficient law enforcement presence to mitigate any threat of violence at the checkpoint or other disruption of screening.

Individuals may not be nominated or added to a TSA Watch List based solely on their real or perceived race, color, religion, national origin, ethnicity, gender, age, sexual orientation, gender identity, or disability. However, this information may be considered under the totality-of-the-circumstances in cases where it is both relevant and based on specific intelligence or threat information. Individuals shall not be added in retaliation for engaging in activities protected by the Constitution. In particular, engaging in First Amendment protected activity shall not be a basis for nominations to or placement on the TSA Watch List (Security Notification) or any other TSA Watch List.

Responsibilities

- A. OIA is responsible for providing TSA Watch List (Security Notification) notifications to FSDs via the Coordination Center of individuals transiting through their Areas of Responsibility (AOR). TSA Watch List (Security Notification) alerts will be distributed in the same manner as other TSA Watch Lists such as Deny Boarding and Enhanced Screening
- B. Coordination Centers are responsible for distributing the TSA Watch List (Security Notification) alert to their FSDs and appropriate staff.
- C. FSDs are responsible for nominating individuals to be considered for addition to or removal from the TSA Watch List (Security Notification).

Checkpoint Operations

- A. FSDs must use the information provided by a match against the TSA Watch List (Security Notifications) to ensure thorough application of routine screening procedures despite any traveler efforts to avoid, manipulate, or interfere with the completion of screening. FSDs must ensure

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1. Transportation Security Officers (TSO) remain vigilant,
 2. The individual is not required to undergo additional screening based solely on TSA Watch List (Security Notification) status,
 3. The individual is not denied boarding based solely on TSA Watch List (Security Notification) status, and
 4. The individual is not denied entry to the sterile area based solely on TSA Watch List (Security Notification) status.
- B. FSDs may notify appropriate law enforcement resources, for example, airport police or Assistant FSDs for Law Enforcement, of pending travel of those on the TSA Watch List (Security Notification) when they determine the recipient has a need to know this information to carry out their security responsibilities.
1. At FSD discretion, additional notifications may be made based upon background information provided for a TSA Watch List (Security Notification)-designated individual
 2. Status on the TSA Watch List (Security Notification) is Sensitive Security Information and must be protected as such.

Requirements

- A. Nominations to the TSA Watch List (Security Notification)
1. An individual who makes intentional, physical contact with a TSA employee in the course of the TSA employee's duties and that contact is offensive or otherwise without legal justification must be nominated for consideration to the TSA Watch List (Security Notification) when the contact is not sufficient to injure the employee and does not prevent the completion of screening.
 - a. When the contact is sufficient to injure the TSA employee or prevent the completion of screening, placement on the TSA Watch List (Enhanced Screening) may be warranted.
 - b. In all instances, TSA will open an enforcement investigation when there is an incident of intentional, physical contact with a TSA employee and that physical contact is offensive or otherwise without legal justification.
 2. Nominations to the TSA Watch List (Security Notification) must be submitted by an FSD, SAC, or equivalent and emailed to OIA Watch Command at TSA_OIA_WATCH@tsa.dhs.gov with a copy to the Transportation Security Operations Center (TSOC) at CDO_TSA@tsa.dhs.gov.
 - a. Nominations of individuals based upon unwarranted, physical contact with a TSO that is offensive or otherwise without legal justification must include:
 - 1) Subject Line: Nomination to the TSA Watch List (Security Notification)
 - 2) In the body of the email (do not include Personally Identifiable Information (PII))
 - a) WebEOC Incident reference number

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- b) Performance and Results Information System (PARIS) Incident and Investigation reference numbers
- c) Closed Circuit Television Video (CCTV):
 - i. Does CCTV footage of the incident exist? Y/N If CCTV is available, but not easily accessible, an explanation must be provided.
 - ii. Indicate method of delivery (email, mail, etc.) and timeframe that footage will be transmitted to OIA.
- 3) As password protected attachments:
 - a) Statement of affected TSA employee,
 - b) Any witness statements.
 - c) CCTV files
 - d) Any images of travel documents, including boarding pass and identification, and
 - e) Any other pertinent information.
- b. Nominations of individuals who may pose a threat to transportation security must include:
 - 1) Subject Line: Nomination to the TSA Watch List (Security Notification)
 - 2) In the body of the email (do not include PII):
 - a) WebEOC Incident reference number
 - b) PARIS Incident and Investigation reference numbers, if available
 - 3) As password protected attachments:
 - a) Explanation of why the individual is being recommended for the TSA Watch List (Security Notification).
 - b) Images of travel documents, including boarding pass and identification, when available.
 - c) Any other pertinent information.
- B. An FSD or designee must request that an individual be removed from TSA Watch List (Security Notification) if it is believed the individual no longer meets the criteria. This recommendation must include an explanation of why the individual no longer meets the criteria for placement on the TSA Watch List (Security Notification).

Reporting Requirements

No reporting is required for TSA Watch List (Security Notification)-designated individuals traversing a checkpoint unless an incident occurs due to the actions or behavior of such an individual. For such incidents, FSDs must ensure:

- A. Incident reporting is made to the TSOC per the requirements of OD-400-18-2 series, Reporting Aviation Security Incidents to the TSOC

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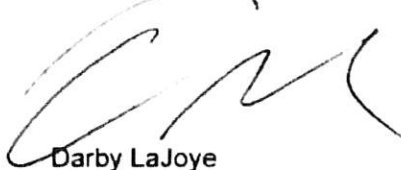
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- B. Written reports of certain aviation security incidents are reported via PARIS within 24-hours of occurrence. For guidance on PARIS reporting requirements, refer to OD-400-18-1 series: Security Incident Reporting

Point of Contact

TSAOD@tsa.dhs.gov



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