

BENJAMIN C. MIZER
 Acting Assistant Attorney General
 Civil Division

ANTHONY J. COPPOLINO
 Deputy Branch Director
 Federal Programs Branch

AMY POWELL
 BRIGHAM J. BOWEN
 ADAM D. KIRSCHNER
 amy.powell@usdoj.gov
 brigham.bowen@usdoj.gov
 U.S. Department of Justice
 Civil Division, Federal Programs Branch
 20 Massachusetts Avenue, N.W
 Washington, D.C. 20001
 Phone: (202) 514-6289
 Fax: (202) 616-8470

Attorneys for Defendants

**UNITED STATES DISTRICT COURT
 DISTRICT OF OREGON**

AYMAN LATIF, et al., <p style="text-align: center;"><i>Plaintiffs,</i></p>	Case 3:10-cv-00750-BR
v. ERIC H. HOLDER, JR., et al., <p style="text-align: center;"><i>Defendants.</i></p>	<p style="text-align: center;">NOTICE REGARDING REVISIONS TO <u>DHS TRIP PROCEDURES</u></p>

As reflected in prior filings in this case, the Government has been in the process of revising its redress procedures for claims involving denials of boarding on covered aircraft, *see* 49 C.F.R. § 1560.3, submitted through the Department of Homeland Security Traveler Redress Inquiry Program (known as DHS TRIP). This revision process has been directed at improving

the redress procedures, including by increasing transparency relating to the No Fly List. In connection with this effort, while the Government's revision process was ongoing, certain individual DHS TRIP inquiries — such as those submitted by plaintiffs in the *Latif*, *Tarhuni*, and *Fikre* cases — have been reopened and reevaluated under revised procedures. The Government now reports that the revised procedures will be made available to similarly situated U.S. persons.

Under the previous redress procedures, individuals who had submitted inquiries to DHS TRIP generally received a letter responding to their inquiry that neither confirmed nor denied their No Fly status. Under the newly revised procedures, a U.S. person who purchases a ticket, is denied boarding at the airport, subsequently applies for redress through DHS TRIP about the denial of boarding, and is on the No Fly List after a redress review, will now receive a letter providing his or her status on the No Fly List and the option to receive and/or submit additional information. If such an individual opts to receive and/or submit further information after receiving this initial response, DHS TRIP will provide a second, more detailed response. This second letter will identify the specific criterion under which the individual has been placed on the No Fly List and, consistent with the Court's June 24, 2014 decision, will include an unclassified summary of information supporting the individual's No Fly List status, to the extent feasible, consistent with the national security and law enforcement interests at stake. The amount and type of information provided will vary on a case-by-case basis, depending on the facts and circumstances. In some circumstances, an unclassified summary may not be able to be provided when the national security and law enforcement interests at stake are taken into account.

This second letter will also provide the requester an opportunity to be heard further concerning their status. Written responses from such individuals may be submitted and may

include exhibits or other materials the individual deems relevant. Upon DHS TRIP's receipt of an individual's submission in response to the second letter, the matter will be reviewed by the Administrator of the Transportation Security Administration (TSA) or his/her designee in coordination with other relevant agencies, who will review the submission, as well as the unclassified and classified information that is being relied upon to support the No Fly listing, and will issue a final determination. TSA will provide the individual with a final written determination, providing the basis for the decision (to the extent feasible in light of the national security and law enforcement interests at stake) and will notify the individual of the ability to seek further judicial review under 49 U.S.C. § 46110.

The Government will be closely monitoring the initial implementation of these newly revised procedures on an interagency basis, and will, as circumstances warrant, consider whether further revisions to the process are necessary. The revised procedures will be discussed in more depth in Defendants' upcoming summary judgment briefing.

Dated: April 13, 2015

Respectfully Submitted,

BENJAMIN C. MIZER
Principal Deputy Assistant Attorney General
Civil Division

ANTHONY J. COPPOLINO
Deputy Branch Director
Federal Programs Branch

s/ Brigham J. Bowen
BRIGHAM J. BOWEN
AMY POWELL
ADAM D. KIRSCHNER
amy.powell@usdoj.gov
brigham.bowen@usdoj.gov
U.S. Department of Justice

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Fax: (202) 616-8470

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing notice was delivered to all counsel of record via the Court's ECF notification system.

s/ Brigham J. Bowen

BRIGHAM J. BOWEN