

# EXHIBIT D



# FEDERAL BUREAU OF INVESTIGATION

SEARCH

## Contact Us

- Your Local FBI Office
- Overseas Offices
- Submit a Crime Tip
- File an Internet Crime Complaint
- More Contacts

## Learn About Us

- Facts & Figures
- What We Investigate
- Intelligence
- Information Technology
- Fingerprints & Training
- Laboratory Services
- Reports & Publications
- History
- More About Us

## Be Crime Smart

- Wanted by the FBI
- E-Scams & Warnings
- More Protections

## Use Our Resources

- For the News Media
- For Law Enforcement
- For Communities
- For Researchers
- More Services

## Visit Our Kids' Page

## Apply for a Job

# Counterterrorism - Terrorist Screening Center

## Frequently Asked Questions

### Why was the Terrorist Screening Database (TSDB) created?

Prior to the creation of the TSDB, information about known or suspected terrorists was dispersed throughout the U.S. Government and no one agency was charged with consolidating it and making it available for use in terrorist screening. Under Homeland Security Presidential Directive (HSPD) 6, the Terrorist Screening Center (TSC) now provides "one-stop shopping" so that every government screener is using the same terrorist watchlist—whether it is an airport screener, an embassy official issuing visas overseas, or a state or local law enforcement officer on the street. The TSC allows government agencies to run name checks against the same comprehensive list with the most accurate, up-to-date information about known and suspected terrorists.

### Who gets included in the TSDB?

Per HSPD-6, only individuals who are known or appropriately suspected to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism are included in the TSDB.

### Does the TSDB contain information on domestic terrorists, like Timothy McVeigh?

Yes. The TSDB contains information on both international and domestic terrorists.

### Does the TSDB contain information on people who have been convicted of a crime?

The purpose of the TSDB is not to hold information on individuals who have been convicted of a crime; however, an individual appropriately included in the TSDB may also have a criminal history. None of the information pertaining to the criminal history is contained or referenced in the TSDB.

### Are there U.S. citizens in the TSDB?

Yes, U.S. citizens are included in TSDB if they meet the HSPD-6 terrorism nexus criteria.

### Can I find out if I am in the TSDB?

The TSC cannot reveal whether a particular person is in the TSDB. The TSDB remains an effective tool in the government's counterterrorism efforts because its contents are not disclosed. If TSC revealed who was in the TSDB, terrorist organizations would be able to circumvent the purpose of the terrorist watchlist by determining in advance which of their members are likely to be questioned or detained.

### I am having trouble when I try to fly or cross the border into the United States. Does this mean I am in the TSDB?

No. At security checkpoints like our nation's borders, there are many law enforcement or security reasons that an individual may be singled out for additional screening. Most agencies have redress offices (e.g., Ombudsman) where individuals who are experiencing repeated problems can seek help. If an individual is experiencing these kinds of difficulties, he/she should cooperate with the agency screeners and explain the recurring problems. The screeners can supply instructions on how to raise concerns to the appropriate agency redress office.

### I have been told that I am on a terrorist watchlist by an airline employee and I frequently have difficulty when I fly. Does this mean I am in the TSDB?

No; however, an individual may be a "misidentified person." A misidentified person is someone who is experiencing a delay during screening because they have a similar name to a person in the

Case 3:06-cv-00543-WHA Document 75 Filed 10/08/06 Page 3 of 17

TSDB. Misidentified persons are sometimes delayed while the government works to distinguish them from other persons in the TSDB. Because these delays are frustrating and inconvenient, there are several initiatives in progress to help streamline the clearance process for misidentified persons. If an individual believes he/she is having a misidentification problem, he/she should contact the screening agency's redress office for assistance.

### **Are individuals removed from the TSDB?**

Yes. The TSC works with partner agencies through a formal process to remove individuals who no longer meet the HSPD-6 terrorism criteria.

### **How does TSC ensure that the TSDB is accurate?**

The TSC has a staff dedicated to redress and quality assurance that conducts comprehensive as well as case-specific reviews of TSDB records to ensure they are current, accurate, and thorough. TSC conducts research and coordinates with other federal agencies to ensure the terrorist record is as complete, accurate, and thorough as possible. TSC's redress and quality assurance process has resulted in the correction or removal of hundreds of records in TSDB.

### **What are TSC's redress procedures?**

See the TSC Redress Procedures webpage for details.

### **Does TSA's Secure Flight program have anything to do with the TSDB?**

Secure Flight is a congressionally mandated program that will check the names and dates of birth of passengers on domestic flights against the TSDB. As with all government programs that screen for terrorists, TSC provides this program support to ensure that terrorist identity matches are correct.

### **What prevents the TSC from violating the civil liberties of Americans?**

The TSC only receives information collected by other government entities with pre-existing authority to do so. Each agency that contributes data to the TSC must comply with legislation, as well as its own policies and procedures to protect privacy rights and civil liberties. The handling and use of information, including information about U.S. citizens and legal immigrants, is governed by the same statutory, regulatory, and constitutional requirements as if the information was not to be included in a TSC managed database.