



Transportation
Security
Administration

U.S. Department of Homeland Security
Office of Chief Counsel
3838 N Sam Houston Pkwy E, Suite 510
Houston, Texas 77032

Sent by Electronic Mail to (b)(6)

September 24, 2013

(b)(6)

Re: Case No. (b)(6)

ORDER ASSESSING CIVIL PENALTY

Dear Mr. (b)(6)

On September 4, 2013, the Transportation Security Administration (TSA) issued to you a Notice of Proposed Civil Penalty (NPCP), proposing to assess a civil penalty in the amount of \$1,500 for a violation of the Transportation Security Regulations (TSR) alleged therein. After considering all of the information presently a part of this enforcement action, the TSA has determined that:

1. On June 18, 2013, you were a ticketed passenger on US Airways flight 1824, departing from the George Bush Intercontinental Airport (IAH), Houston, Texas.
2. On that date, at approximately 11:18 a.m., you submitted your person and accessible property for security screening and inspection prior to entering the sterile area of IAH to board flight 1824.
3. You opted out of screening through the Automated Target Recognition (ATR) machine.
4. As a result, a Transportation Security Officer (TSO) advised you that you would have to undergo a pat-down.
5. You became upset; as a result, the TSO called for assistance from a Supervisory TSO.
6. The Supervisory TSO explained your options to you, and you elected to undergo the pat-down.
7. When a Lead TSO attempted to conduct the pat-down, you removed your shirt.
8. The Lead TSO advised you that you did not have to remove your shirt.
9. You stated, "I know," and then removed your shorts and underwear.

SENSITIVE SECURITY INFORMATION

WARNING: This record contains Sensitive Security Information that is controlled under 49 CFR parts 15 and 1520. No part of this record may be disclosed to persons without a "need to know", as defined in 49 CFR parts 15 and 1520, except with the written permission of the Administrator of the Transportation Security Administration or the Secretary of Transportation. Unauthorized release may result in civil penalty or other action. For U.S. government agencies, public disclosure is governed by 5 U.S.C. 552 and 49 CFR parts 15 and 1520.

10. The Supervisory TSO asked you to put your clothes back on.
11. You refused to put your clothes back on.
12. As a result, the Lead TSO stopped screening you, and the Supervisory TSO stopped all screening in that lane and called for assistance from a Houston Police Department (HPD) officer.
13. The HPD officer ultimately arrested you and escorted you from the security checkpoint.

Based on the foregoing facts and circumstances, the TSA has determined that you violated the following TSR: 49 C.F.R. § 1540.109, in that you interfered with screening personnel in the performance of their screening duties.

In accordance with 49 U.S.C. § 46301 of the Aviation and Transportation Security Act, you are subject to a civil penalty not to exceed \$11,000 for each violation of the TSR. In the NPCP, TSA proposed to assess a civil penalty in the amount of \$1,500. However, based on information you provided in informal discussions, we agreed to settle this case for \$500.

NOW, THEREFORE, IT IS ORDERED, pursuant to 49 U.S.C. § 46301(a) and (d) and 49 C.F.R. § 1503.419, that you are assessed a civil penalty in the amount of \$500 for the above referenced violations. You are hereby ordered to pay the assessed amount by mailing or delivering checks or money orders in the total amount of \$500, **payable to the Transportation Security Administration**, to:

U.S. Department of Homeland Security
 Transportation Security Administration
 P.O. Box 530262
 Atlanta, GA 30353-0262

OR

Bank of America
 United States DHS/TSA
 Lockbox Number 530262
 1075 Loop Road
 Atlanta, GA 30337-6002

You are ordered to pay the assessed amount in accordance with the following payment schedule: \$250 no later than October 30, 2013, and \$250 no later than November 30, 2013.

Please write the case number on the face of each check or money order. A copy of each payment instrument should also be sent to me at the address above. In lieu of a check or money order, you

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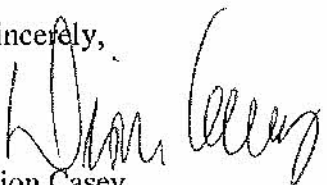
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may submit payment electronically at www.pay.gov, a secure website administered by the U.S. Department of the Treasury. For assistance with pay.gov, you may contact pay.gov's Customer Support at 1-800-624-1373.

This Order Assessing Civil Penalty constitutes a debt owed to the United States. You have now exhausted your right to seek review within the TSA of the validity and/or amount of this debt. If this debt is not paid in full within 30 days of your receipt of this Order, the debt is considered delinquent. For delinquent debts, Federal law requires the TSA to charge interest at a fixed annual rate,¹ along with an administrative charge of \$12 per month, representing the TSA's costs of administrative collection. Furthermore, if the amount assessed is not paid in full within 90 days of the date that the debt becomes delinquent, the TSA is required to assess an additional penalty at an annual rate of 6%, accruing from the date of delinquency. Debts delinquent for more than 180 days will be referred to the U.S. Department of Treasury for further collection action, including offset of Federal payments and tax refunds, or to the United States Department of Justice for litigation.

Please contact me at 281-848-(b)
(6) if you have any questions.

Sincerely,


Dion Casey
Attorney-Advisor

¹ The current annual rate can be found at <http://fms.treas.gov/cvfr/index.html>.

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