



**Transportation  
Security  
Administration**

**November 15, 2004**

**OMB Control Number 1652-0025**

**Expiration Date: March 31, 2005**

**TRANSPORTATION SECURITY ADMINISTRATION  
ORDER**

Pursuant to the authority vested in me as Assistant Secretary of Homeland Security (Transportation Security Administration) (TSA) by delegation from the Secretary of Homeland Security, 49 U.S.C. 40113(a), and other authorities described below, I hereby direct each aircraft operator listed in Attachment A to this order to provide passenger name records (PNRs) to TSA in accordance with the terms of this order.

Background and Authority

1. The Secretary of Homeland Security has delegated to the Assistant Secretary of Homeland Security (TSA), subject to the Secretary's guidance and control, the authority vested in the Secretary by section 403(2) of the Homeland Security Act respecting TSA, including that related to civil aviation security under the Aviation and Transportation Security Act.
2. Under 49 U.S.C. 114(e)(1) and 44901(a), TSA is responsible for, among other things, providing for the screening of passengers traveling in air transportation and intrastate air transportation.
3. One component of passenger screening is the Computer-Assisted Passenger Prescreening System (CAPPS), an automated screening system developed by the Federal Aviation Administration (FAA) in cooperation with U.S. aircraft operators. U.S. aircraft operators implemented CAPPS in 1997.
4. CAPPS evaluates information in PNRs that passengers otherwise provide to aircraft operators in the normal course of business to determine whether a passenger will be selected for a higher level of security screening prior to boarding. A PNR is a record that contains detailed information about an individual's travel on a particular flight, including information provided by the individual when making the flight reservation. While the Federal Government established the CAPPS selection criteria, CAPPS is operated entirely by U.S. aircraft operators.
5. Passenger prescreening also involves the comparison of identifying information of airline passengers against lists of individuals known to pose or suspected of posing a threat to civil aviation or national security. Aircraft operators currently carry out this function, using lists provided by TSA. Because the lists are provided in an

unclassified form, the amount of information they include is limited. For this reason, TSA will take over from aircraft operators the function of screening passengers against such lists and use a larger set of data maintained by the Federal Government for this purpose. This is consistent with the recommendation by the National Commission on Terrorist Attacks upon the United States (9/11 Commission) related to the use of expanded “No-Fly” and “Automatic Selectee” lists, and the 9/11 Commission recommendation that aircraft operators be required to supply the information needed to test and implement such a system.

6. In accordance with the authority in 49 U.S.C. 44903(j)(2), TSA is in the process of developing a successor system to CAPPS that will be operated entirely by TSA and will incorporate the screening of passengers against data maintained by the Terrorist Screening Center (TSC) about individuals known or reasonably suspected to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism.
7. In order to test such a system, TSA must have access to information contained in the PNRs for domestic passenger flights. TSA also must have access to passenger information from aircraft operators that maintain the information in forms other than PNRs, such as passenger manifests.
8. TSA has broad authority under 49 U.S.C. 40113(a) to issue orders necessary to carry out its functions, including its responsibility to provide for the security screening of passengers under 49 U.S.C. 44901(a). TSA also has authority to identify and undertake research and development activities necessary to enhance transportation security under 49 U.S.C. 114(f)(8).

### Findings

9. The security prescreening of passengers, as mandated by Congress, is vital to aviation security and national security.
10. After a lengthy review of the initial plans for a successor system to CAPPS, and consistent with the recommendation of the 9/11 Commission, the Department of Homeland Security is moving forward with a next generation system of domestic passenger prescreening that meets the following goals: (1) identifying, in advance of flight, passengers known or suspected to be engaged in terrorist activity; (2) moving of passengers through airport screening more quickly and reducing the number of individuals unnecessarily selected for secondary screening; and (3) fully protecting passengers’ privacy and civil liberties.
11. In the revised program, known as Secure Flight, TSA will compare information in airline PNRs or other passenger manifest formats for domestic flights to information in the Terrorist Screening Database (TSDB) maintained by TSC, including expanded TSA No-Fly and Selectee lists, in order to identify individuals known or reasonably suspected to be or having been engaged in conduct constituting, in preparation for, in

aid of, or related to terrorism. The Secure Flight program also will test operation of a streamlined version of the existing CAPPS evaluation criteria. TSA will use the PNRs obtained under this order to test these aspects of the program.

12. TSA also will test whether comparing passenger information to other commercially available data can enhance TSA's ability to identify passenger information that is inaccurate or incorrect.
13. In order to develop and test such a system, TSA must obtain passenger information in PNRs, or other passenger manifest formats where PNRs are not used, from aircraft operators.
14. On September 24, 2004, TSA published in the Federal Register a proposed order requiring aircraft operators to provide PNRs for testing the Secure Flight program. After considering the public comments received and making modifications to the proposed order, where appropriate, TSA is issuing this final order to aircraft operators for purposes of obtaining PNRs to test the Secure Flight program.

#### Action Ordered

15. Scope:

a. Aircraft Operators:

This order applies to aircraft operators that conduct scheduled passenger or public charter operations subject to a full security program under 49 CFR 1544.101(a).

b. Information:

This order applies to PNRs containing itineraries for domestic flights operated under a full security program and for which all flight segments in the itinerary were flown between June 1, 2004 and June 30, 2004, (after 2400 hours 31 May 2004 and before 0001 hours 1 July 2004). This includes PNRs for non-revenue and space available passengers.

For purposes of this order, "PNR" means the electronic record maintained by the aircraft operator detailing information about an individual's travel on a particular flight and any other information contained in that record.

For purposes of this order, "domestic flight" means a flight between two locations in the United States (to include the U.S. Virgin Islands, Puerto Rico, Guam, Saipan, and American Samoa).

This order does not apply to PNRs reflecting itineraries that were cancelled in whole.

An aircraft operator may elect to exclude from the scope of the order any PNRs

which include any flight segments between the EU and the United States.

If an aircraft operator does not use PNRs, the order applies to the reservation data in whatever form aircraft operators receive or maintain for operation of a flight, such as a passenger manifest.

c. Information in PNRs:

PNRs must include all data that would have been available to the aircraft operator in a displayed PNR prior to the completion of the itinerary (active fields), including any “remarks” sections, the reservation creation date, and CAPPs scores and codes.

PNRs may not include information related to changes in a PNR prior to completion of the flight itinerary (PNR history). If, however, the PNR history includes information on flight segments already flown, they must be included in the PNR. In such cases, the aircraft operator may move information on flights flown out of the PNR history or include the entire PNR history in the information submitted to TSA, and TSA will extract the flown flights segments (itinerary).

PNRs may be submitted in archive format.

16. Submission of PNRs:

The aircraft operator must submit to TSA all PNRs described in paragraph 15 so that the data is received by TSA no later than 5:00 p.m. EST on November 23, 2004.

Mail all information through overnight carrier to:

Lisa Dean, Privacy Officer  
Transportation Security Administration  
601 S. 12<sup>th</sup> Street, TSA-9, Room E7-305N  
Arlington, VA 22202  
Phone: 571-227-3947

17. Codesharing Operations:

If an aircraft operator does not maintain PNRs or other passenger reservation information for the flights that it operates, the aircraft operator may comply with this order by stipulating in writing to TSA that the entity maintaining such PNRs or other passenger reservation information has agreed to provide the information to TSA on behalf of the aircraft operator. For example, a regional aircraft operator that relies on other aircraft operators to maintain PNRs for the regional operator’s flights must stipulate the other aircraft operators will submit PNRs to TSA on the regional aircraft operator’s behalf.

Letters of stipulation, described above, must be signed and on company letterhead.

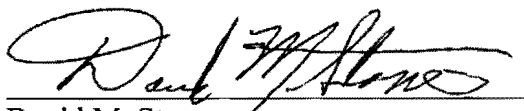
They may be delivered in one of the following three ways:

US Mail:  
TSA/ONRA  
Attention: Airline Team  
P.O. Box 597  
Annapolis Junction, MD 20701

FAX: 240-568-3528

E-mail (scanned copies): [SecureFlight@DHS.gov](mailto:SecureFlight@DHS.gov)

18. The aircraft operator must provide to TSA information about the aircraft operator's PNR data schema and layout, such as a PNR format book and a data dictionary that includes all acronyms and codes not standard to the International Air Transport Association.
19. For purposes of the test, the aircraft operator must provide the PNRs to TSA on optical media in an unpacked or uncompressed form, in a structured data format or XML, if available. Information must be password-protected. The aircraft operator must supply TSA with the password via e-mail at [SecureFlight@DHS.gov](mailto:SecureFlight@DHS.gov).



David M. Stone  
Assistant Secretary

NOV 15 2004

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Date

## ATTACHMENT A—AIRCRAFT OPERATORS

1. Air Midwest Inc.
2. Air Wisconsin Airline Corp
3. AirTran Airways Inc.
4. Alaska Airlines Inc.
5. Allegiant Air
6. Aloha Airlines Inc.
7. America West Airlines Inc.
8. American Airlines Inc.
9. American Eagle
10. American Trans Air Inc.
11. Atlantic Southeast Airlines (ASA)
12. Big Sky Airlines
13. Boston and Maine Airways
14. Cape Air (Hyannis Air Service)
15. Caribbean Air
16. Casino Airlines
17. Casino Express TEM Enterprises
18. Champion Air (Grand Holdings)
19. Chautauqua Airlines
20. Chicago Express Airlines
21. Colgan Air
22. Comair, Inc.
23. Commutair (Champlain Ent.)
24. Continental Airlines Inc.
25. Continental Micronesia Inc.
26. Corporate Airlines
27. Delta Air Lines Inc.
28. Executive Airlines/American Eagle
29. Expressjet Airlines (Cont. Express)
30. Falcon Air Express
31. Freedom Air
32. Freedom Airlines
33. Frontier Airlines
34. Great Lakes Aviation Ltd..
35. Gulfstream International Airlines
36. Hawaii Island Air (Island Air)
37. Hawaiian Airlines
38. Horizon Air
39. Independence Air (Atlantic Coast Airline)
40. Jetblue Airways Corp.
41. Kenmore (start-up)
42. Mesa Airlines
43. Mesaba Aviation Inc.
44. Miami Air International
45. Midwest Airlines Inc.
46. North American Airlines
47. Northwest Airlines Inc.
48. Omni
49. Pace/Hooters
50. Pacific Island Aviation Inc.
51. Pacific Wings
52. Pan American Airways Corp.
53. Piedmont Airlines
54. Pinnacle Airlines (d/b/a Northwest Airlink)
55. Planet Air
56. Primaris Airlines, Inc. (Primaris)
57. PSA Airlines
58. Ryan International Airlines
59. Shuttle America
60. Sky King
61. Sky West Airlines
62. Skyway Airlines/Midwest Connect
63. Southeast Airlines
64. Southwest Airlines (U.S.A.)
65. Spirit Airlines
66. Sun Country Airlines Inc.
67. Trans States Airlines
68. Transmeridian Airlines
69. United Airlines Inc.
70. US Airways Inc
71. USA3000
72. World Airways”