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Description of document: **List of Transportation Security Administration (TSA) Emergency Amendments**

Requested date: 24-April-2008

Released date: 06-August-2008

Posted date: 16-August-2008

Source of document: Transportation Security Administration, TSA-20, East Tower
FOIA Division
601 South 12th Street
Arlington, VA 22202-4220
Fax: (571) 227-1406
E-mail: FOIA.TSA@dhs.gov

Note: governmentattic.org has retyped the list of TSA Emergency Amendments for legibility. See last page of file.

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AUG 6 2008



Transportation
Security
Administration

FOIA Number: TSA08-0496

This responds to your request dated April 24, 2008, to the Transportation Security Administration (TSA). Your request was processed pursuant to the Freedom of Information Act (FOIA), 5.U.S.C. § 552. Specifically, you sought access to the following:

- “A copy of the LIST of Emergency Amendments.”

A search was conducted within the TSA and 1 page was located responsive to your request. Certain portions of this document are considered Sensitive Security Information (SSI) and are exempt from disclosure under Exemptions 2 and 3 of the FOIA. An explanation of these exemptions is outlined below.

Exemption 2 of the FOIA exempts from mandatory disclosure records that are “related solely to the internal personnel rules and practices of an agency.” The courts have interpreted the exemption to encompass two distinct categories of information:

- (1) internal matters of a relatively trivial nature-often referred to as “low 2” information; and
- (2) more substantial internal matters, the disclosure of which would risk circumvention of a legal requirement-often referred to as “high 2” information. A more detailed explanation follows.

We have determined that certain portions of the requested records are properly withheld from disclosure as “high” (b)(2) information, in that they contain internal administrative and/or personnel matters to the extent that disclosure would risk circumvention of a regulation or statute or impede the effectiveness of law enforcement activities. A more detailed explanation follows.

Sensitive materials are exempt from disclosure under “high 2” when the requested document is predominantly internal, and disclosure significantly risks circumvention of a regulation or statute, including civil enforcement and regulatory matters. Whether there is any public interest in disclosure is legally irrelevant. Rather, the concern under high 2 is that a FOIA disclosure should not benefit those attempting to violate the law and avoid detection.

Exemption 3 permits the withholding of records specifically exempted from disclosure by another Federal statute. Section 114(s) of title 49, United States Code, exempts from disclosure of Sensitive Security Information that “would be detrimental to the security of transportation” if disclosed. The TSA regulations implementing Section 114(s) are found in 49 CFR Part 1520.

Section 1520.5(b)(2)(iii) exempts from disclosure any comments, instructions, and implementing guidance pertaining to Security Directives.

In accordance with departmental regulations implementing the FOIA (6 C.F.R. § 5.11), you are identified in the category of an “other” requester. Accordingly, this entitles you to two hours of search time and 100 pages of responsive documents without charge for each request. There are no fees associated with processing this request.

In the event that you may wish to appeal this determination, an administrative appeal may be made in writing to Kimberly Walton, Special Counselor, Office of the Special Counselor, Transportation Security Administration, 601 South 12th Street, East Building, E7-121S, Arlington, VA 22202-4220. Your appeal **must be submitted within 60 days** from the date of this determination. It should contain your FOIA request number and state, to the extent possible, the reasons why you believe the initial determination should be reversed. In addition, the envelope in which the appeal is mailed in should be prominently marked “FOIA Appeal.” Please note the Special Counselor’s decision on your FOIA appeal will be administratively final. If you have any questions pertaining to your request, please feel free to contact the FOIA Office at 1-866-364-2872 or locally at 571-227-2300.

Sincerely,



Kevin J. Janet
FOIA Officer
Freedom of Information Act Office

Enclosures

Document #	Date Issued	Applies To	Requirement(s)	Exp. Date
EA 1546-01-14F	7/20/2007	Foreign Air Carriers	(2)(iii) Requirements for Flights to and from DCA	
EA 1546-01-10F	3/30/2007	Foreign Air Carriers	Enhanced Security Measures for Flights from U.S. Airports	3/31/2008
EA 1546-01-17E	4/8/2008	Foreign Air Carriers	Procedures for Comparing Names of Passengers and Employees Against the No Fly List	
EA 1546-01-18E	7/8/2004	Foreign Air Carriers	Procedures for Comparing Names of Passengers and Employees Against the Selectee List	
EA 1546-01-07X	7/19/2005	Foreign Air Carriers	Enhanced Security Measures for All Flights from the U.S.	
EA 1546-01-09J	7/12/2006	Foreign Air Carriers	Enhanced Security Measures for All Flights to the U.S. from Foreign Locations	
EA 1546-03-06	12/23/2003	All-Cargo Flights	Vetting of Master Cockpit Crew List, Cockpit Crew Manifest, & Master Pax List for Pax & All-Cargo Flights to & from the U.S. - Interim	
EA 1546-03-08	12/23/2003	Foreign Air Carriers	Vetting of Cockpit Crew Manifest for Passenger Operations into the U.S. - Interim	
EA 1546-03-09A	7/17/2006	Foreign Air Carriers	Enhanced Security Measures for All Foreign Flights to the U.S.	
EA 1548-03-10	12/28/2003	Foreign Air Carriers	Armed, Trained Government Law Enforcement Officers on Specific Flights When Directed by TSA	
EA 1548-03-11	12/28/2003	All-Cargo Flights	Armed, Trained Government Law Enforcement Officers on Specific Flights When Directed by TSA	
EA 1546-04-03	3/16/2004	Foreign Air Carriers	Requirement to Keep Door Separating Flight Deck & Passenger Compartment Closed and Locked at All Times	
EA 1546-04-04	3/30/2004	Foreign Air Carriers	Vetting of Crewmembers for International Passenger Flights to, from, within, and overflying the U.S.	
EA 1546-04-07	6/1/2004	Foreign Air Carriers	Additional Security Measures for [REDACTED]	
EA 1546-04-09	7/6/2004	Foreign Air Carriers	Enhanced Security Measures for Secured Areas and Security Identification Display Areas (SIDAs)	
EA 1546-04-10	7/6/2004	Foreign Air Carriers	Airport Tenant Access to the Sterile Area	
EA 1546-04-11A	11/5/2004	Foreign Air Carriers	Enhanced Security Measures for Departures from [REDACTED]	
EA 1546-04-13	11/24/2004	Foreign Air Carriers	Incidents and Suspicious [REDACTED]	
EA 1546-06-01	6/12/2006	Foreign Air Carriers	Enhanced Security Measures for Departures from [REDACTED]	
EA 1546-06-02E	11/9/2006	Foreign Air Carriers	HSAS Threat Condition ORANGE Security Measures—All Flights Departing from Non-Base Locations to the U.S.	
EA 1546-06-03D	4/9/2006	Foreign Air Carriers	HSAS Threat Condition ORANGE Security Measures—All Flights Departing from the [REDACTED]	
EA 1546-06-04D	11/9/2006	Foreign Air Carriers	HSAS Threat Condition ORANGE Security Measures—Flights Departing the U.S.	
EA 1546-06-05B	7/18/2007	All-Cargo Flights	Enhanced Cargo Security Measures for Flights from and/or within the U.S.	
EA 1548-07-01	3/19/2007	Foreign Air Carriers	Enhanced Security Procedures for Gate Screening and Aircraft Cabin Searches	
EA 1546-07-02	9/4/2007	Foreign Air Carriers	International Airport (DCL) to the U.S.	
EA 1546-07-03	1/16/2008	Foreign Air Carriers	Security Procedures for Flights to the United States from [REDACTED]	
EA 1546-08-01	2/7/2008	Foreign Air Carriers	Enhanced Security Procedures for [REDACTED]	
EA 1550-03-03	12/28/2003	International All Cargo	Armed, Trained Government Law Enforcement Officers on Specific Flights When Directed by TSA	

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EA 1546-01-07X	1/19/2005	Foreign Air Carriers	Enhanced Security Measures for All Flights from the U.S.	
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EA 1546-04-13	11/24/2004	Foreign Air Carriers	Incidents and Suspicious [ILLEGIBLE]	
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EA 1546-07-01	3/19/2007	Foreign Air Carriers	Enhanced Cargo Security Measures for Gate screening and Aircraft Cabin Searches . International	
EA 1546-07-02	9/4/2007	Foreign Air Carriers	Airport (DEL) to the U.S.	
EA 1546-07-03	1/16/2008	Foreign Air Carriers	Security Procedures for Flights to the United States from [REDACTED]	
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