

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

January 14, 2015

Via Electronic Transmission

The Honorable Eric H. Holder, Jr.
Attorney General
U.S. Department of Justice
950 Pennsylvania Ave., NW
Washington, DC 20530

Dear Attorney General Holder,

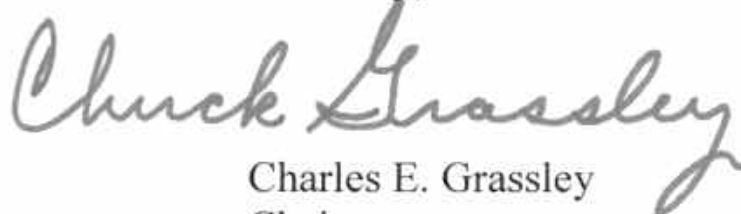
I am writing to you regarding the Obama Administration's impending changes to the No Fly List. As you know, the No Fly List is an important government watchlist maintained by the Federal Bureau of Investigation's Terrorist Screening Center that is used to prevent suspected terrorists from boarding commercial aircraft flying into, out of, or through the United States.

In a letter dated December 4, 2014, you notified me, pursuant to 28 U.S.C. § 530D, that the Department of Justice would not be appealing a decision by a federal district court judge in Oregon that struck down the procedures available for individuals to challenge their inclusion on the No Fly List on constitutional due process grounds. Rather than appealing and continuing to defend the No Fly List in that case, you informed me that the government was in the process of amending the extensive processes and procedures underlying the government's administration of the No Fly List. You wrote that an "appeal of an order relating to older procedures, which will soon be updated, would serve little purpose."

I am concerned about the government's plans to revise the administration of the No Fly List. Of course, all Americans must be afforded appropriate due process to challenge government action that infringes on their civil liberties, including their inclusion on a government watchlist that necessarily impedes their freedom to travel. Nevertheless, the No Fly List is a critical counterterrorism tool that is regularly used to prevent suspected terrorists, including individuals like those who committed the recent terrorist attacks in Paris, from entering the United States and even boarding international flights.

Congress must fulfill its oversight responsibility to ensure that the Obama Administration appropriately protects the civil liberties of Americans, while also preventing suspected terrorists from traveling aboard commercial aircraft. I therefore request that you inform me promptly of any changes to the administration of the No Fly List implemented by the Department of Justice.

Sincerely,



Charles E. Grassley
Chairman