



U.S. Department of Homeland Security
Transportation Security Administration
6595 Springfield Center Drive
Springfield, Virginia 20598-6020

March 5, 2025

3600.1

Case Number: 2024-TSFO-02558

Julia Z. Haller
America First Legal Foundation
611 Pennsylvania Ave SE #231
Washington, DC 20003

Dear Ms. Haller:

This letter responds to your Freedom of Information Act (FOIA) request dated September 16, 2024, addressed to the Transportation Security Administration (TSA) FOIA Branch seeking the following: “all records regarding Ryan Wesley Routh.” As clarified by agreement memorialized in a Joint Status Report filed on December 10, 2024, in the lawsuit *America First Legal Foundation v. Department of State, et al.*, ECF No. 12, No. 24-cv-2883 (D.D.C.), TSA processed your request as seeking records “only within the six program offices identified in the request and not at any other agency subdivisions”; searches were conducted in databases/information systems in which responsive material would reasonably be expected to be located if it exists; and TSA deemed non-responsive any records “that are just news articles or compilations of news articles that do not contain any added comments or discussion about the articles.”

No records responsive to your request were located in the following five TSA offices: Office of the Administrator; Enrollment Services and Vetting Programs; Inspection; International Operations; and Law Enforcement/Federal Air Marshal Service.

With regard to the sixth TSA office identified in your request, Intelligence & Analysis, the existence or nonexistence of responsive records in databases/information systems utilized by that office cannot be disclosed without revealing information indicating Ryan Wesley Routh’s status with respect to Federal Watch Lists. TSA can neither confirm nor deny whether an individual is on a Federal Watch List, as this information is derived from classified and sensitive law enforcement and intelligence information and revealing Federal Watch List status would be highly valuable to adversaries who seek to harm the United States using commercial aviation. This protects the operational counterterrorism and transportation security objectives of the Federal government. Federal Watch Lists remain effective tools in the government’s counterterrorism and transportation security efforts because their contents are generally not disclosed.

The Federal Watch Lists include the No-Fly and Selectee Lists, and a larger set of watch lists maintained by the Federal government and used by TSA to secure transportation, which constitute “Sensitive Security Information” (SSI) under the governing regulations, which may be found at 49 CFR § 1520.5(b)(9). SSI is expressly exempted from disclosure under 49 U.S.C. § 114(r) and the implementing regulation at 49 CFR § 1520.15(a).

Notwithstanding the Freedom of Information Act (5 U.S.C. § 552), the Privacy Act (5 U.S.C. § 552a), or any other laws, records containing SSI are not available for public inspection or copying, nor does TSA release such records to persons without an official need to know under 49 CFR § 1520.11. Further,

Exemption (b)(3) of the FOIA allows the withholding of records specifically prohibited from disclosure by another Federal statute if the statute “requires that the matters be withheld from the public as to leave no discretion on the issue.” 5 U.S.C. § 552(b)(3). Accordingly, TSA can neither confirm nor deny the existence of records that would indicate an individual’s status with regard to any Federal Watch List under 5 U.S.C. § 552(b)(3), 49 U.S.C. § 114(r) and 49 CFR § 1520.15(a).

Fees

There are no fees associated with processing this request because the fees incurred do not exceed the minimum threshold necessary for charge.

* * *

As this matter is now the subject of litigation, if you have any questions pertaining to your request, please contact the Assistant U.S. Attorney representing TSA at douglas.dreier@usdoj.gov.

Sincerely,

A handwritten signature in blue ink that reads "Kerry Callahan". The signature is written in a cursive, flowing style.

Kerry Callahan
FOIA Officer (Acting)