

Overview of TSA Security Threat Assessment and Redress Processes for Credentialing Programs

Office of Transportation Threat Assessment and Credentialing

April 2007



Transportation
Security
Administration

Enrollment and Fingerprinting

Pre-Enrollment



OR



Application and fees are submitted either online or by calling the Help Desk.

Enrollment

The applicant travels to an enrollment facility, where the contractor verifies application information and collects the biometric data. All data is submitted electronically directly to TSA



Receipt by TSA

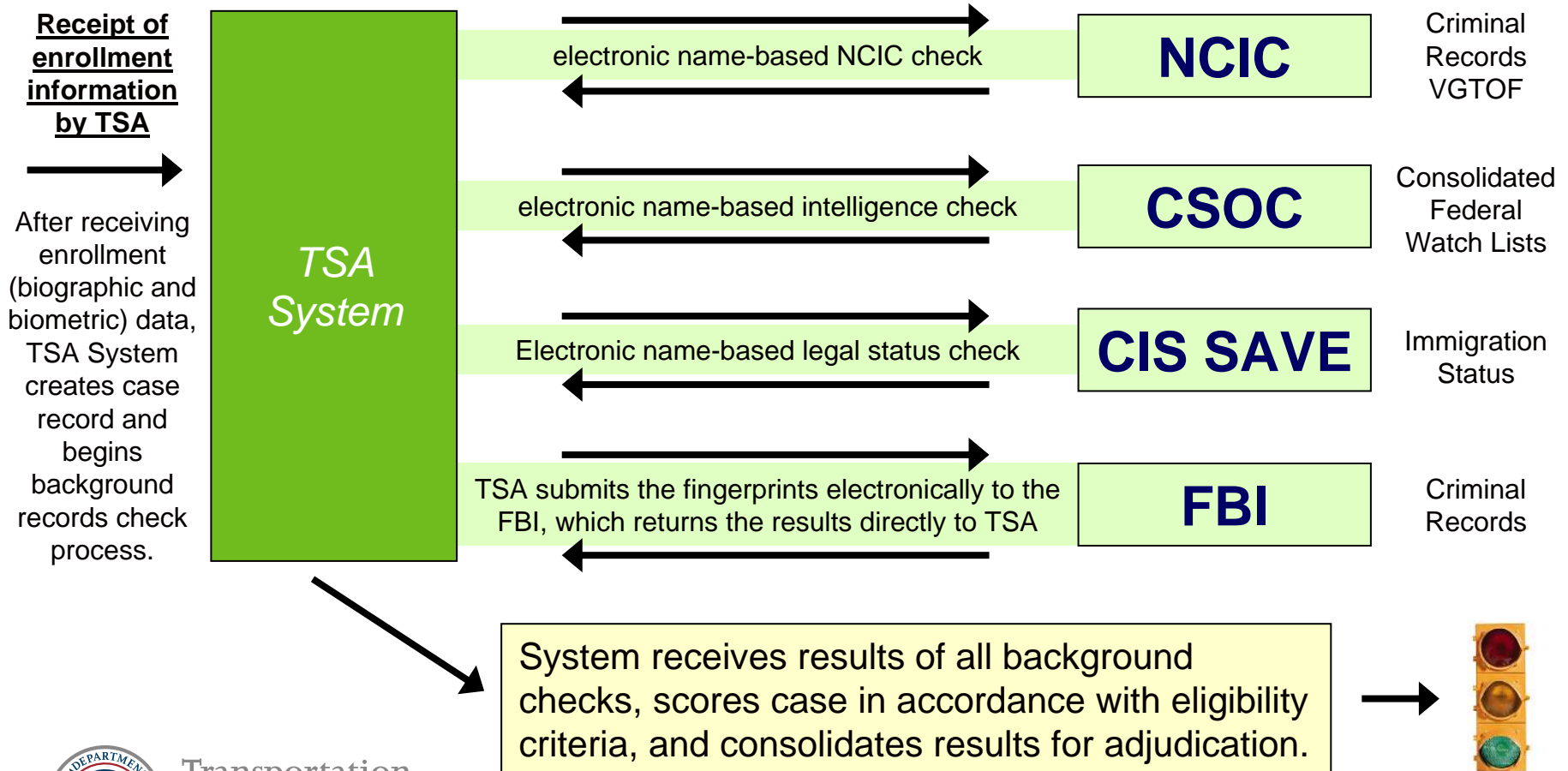
TSA receives enrollment (biographic and biometric) data, and begins background records check process.



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Automated Background Checks

After receiving application information electronically, TSA initiates a variety of background records checks.

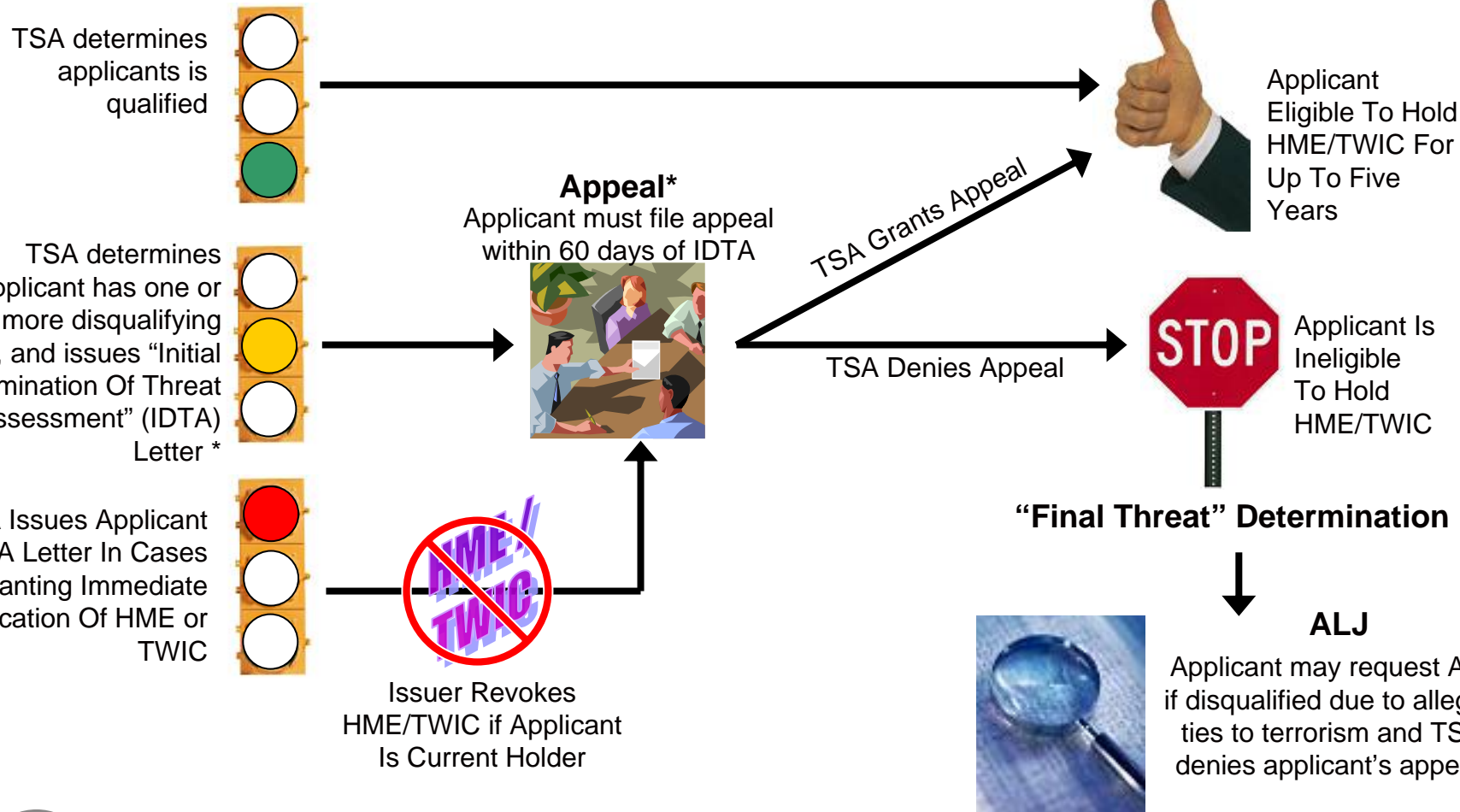


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Initial Adjudication and Appeal

Initial Determination of Threat Assessment

"No Threat" Determination



* If applicant does not submit a written appeal within specified timeframe after receiving IDTA letter, IDTA becomes "Final Determination of Threat Assessment" (FDTA) and TSA notifies Issuer.

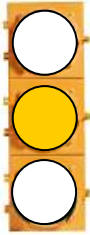


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Waiver Process

Initial Threat Assessment Determination

Applicant issued IDTA, skips appeal and applies directly for waiver



OR

"Final Threat" Determination

Applicant is ineligible to hold HME/TWIC



Waiver Submission*

Applicant must file waiver within 60 days of Final Determination



Applicant submits waiver request to TSA if he/she believes mitigating circumstances surrounding disqualifying offense warrant eligibility to hold credential

Waiver Evaluation



TSA evaluates merits of waiver request

TSA Grants Waiver & Notifies Applicant & Issuer

TSA Denies Waiver & Notifies Applicant and Issuer

Waiver Granted



Applicant eligible to hold HME/TWIC for up to five years



Waiver Denied

Applicant remains ineligible



ALJ

Applicant may request ALJ if TSA denies applicant's waiver request



Transportation Security Administration

* If applicant does not submit a written waiver request within specified timeframe after "Final Determination of Threat Assessment" (FDTA), he/she is ineligible to apply for a waiver. An applicant may reapply for a new security threat assessment.

ALJ Review Request

Request for Administrative Law Judge Review*

Applicant must file request for ALJ within 30 days of Final Determination, as a result of a denial of appeal based on alleged ties to terrorism or denial of waiver

Applicant submits all information to AJL that was submitted to TSA for consideration, as well as TSA determination materials.



NO NEW MATERIALS MAY BE INTRODUCED

Applicant may request an in-person hearing with ALJ.

ALJ Conducts Review

Record is closed once certified transcripts and all documents and materials have been submitted for the record



ALJ reviews all information and evidence, conducts a hearing if requested, and issues a written decision within 30 days after closing the record



* If applicant does not submit a written request within specified timeframe, the Final Determination will be final with respect to all parties, and can no longer be challenged.

Results of the ALJ Review

ALJ Issues Written Decision



If desired, decision of ALJ may be appealed by either party to the **TSA Final Decision Maker**

