

Why GAO Did This Study

The December 25, 2009, attempted bombing of Northwest Flight 253 exposed weaknesses in how the federal government nominated individuals to the terrorist watchlist and gaps in how agencies used the list to screen individuals to determine if they posed a security threat. In response, the President tasked agencies to take corrective actions. GAO was asked to assess (1) government actions since the incident to strengthen the nominations process, (2) how the composition of the watchlist has changed based on these actions, and (3) how agencies are addressing gaps in screening processes. GAO analyzed government reports, the guidance used by agencies to nominate individuals to the watchlist, data on the volumes of nominations from January 2009 through May 2011, the composition of the list, and the outcomes of screening agency programs. GAO also interviewed officials from intelligence, law enforcement, and screening agencies to discuss changes to policies, guidance, and processes and related impacts on agency operations and the traveling public, among other things. This report is a public version of the classified report that GAO issued in December 2011 and omits certain information, such as details on the nominations guidance and the specific outcomes of screening processes.

What GAO Recommends

GAO recommends that the Assistant to the President for Homeland Security and Counterterrorism ensure that the outcomes and impacts of agencies' actions to strengthen nominations and screening processes are routinely assessed. Technical comments were provided and incorporated.

View [GAO-12-476](#). For more information, contact Eileen Larence at (202) 512-6510 or larenceej@gao.gov.

TERRORIST WATCHLIST

Routinely Assessing Impacts of Agency Actions since the December 25, 2009, Attempted Attack Could Help Inform Future Efforts

What GAO Found

In July 2010, the federal government finalized guidance to address weaknesses in the watchlist nominations process that were exposed by the December 2009 attempted attack and to clarify how agencies are to nominate individuals to the watchlist. The nominating agencies GAO contacted expressed concerns about the increasing volumes of information and related challenges in processing this information. Nevertheless, nominating agencies are sending more information for inclusion in the terrorist watchlist after the attempted attack than before the attempted attack. Agencies are also pursuing staffing, technology, and other solutions to address challenges in processing the volumes of information. In 2011, an interagency policy committee began an initiative to assess the initial impacts the guidance has had on nominating agencies, but did not provide details on whether such assessments would be routinely conducted in the future. Routine assessments could help the government determine the extent to which impacts are acceptable and manageable from a policy perspective and inform future efforts to strengthen the nominations process.

After the attempted attack, federal agencies took steps to reassess the threat posed by certain individuals already identified in government databases and either add them to the watchlist or change their watchlist status, which included adding individuals to the watchlist's aviation-related subset lists. For example, the number of U.S. persons (U.S. citizens and lawful permanent residents) on the subset No Fly List the government uses to deny individuals the boarding of aircraft more than doubled after the attempted attack.

Screening agencies are addressing gaps in processes that were exposed by the attempted attack. For example, based on the growth of lists used to screen aviation passengers and continued implementation of Secure Flight—which enabled the Transportation Security Administration to assume direct responsibility for conducting watchlist screening from air carriers—more individuals have been denied boarding aircraft or subjected to additional physical screening before boarding. Secure Flight has also reduced the likelihood of passengers being misidentified as being on the watchlist and has allowed agencies to use a broader set of watchlist records during screening. U.S. Customs and Border Protection has built upon its practice of evaluating individuals before they board flights to the United States, resulting in hundreds more non-U.S. persons on the watchlist being kept off flights because the agency determined they would likely be deemed inadmissible upon arrival at a U.S. airport. The Department of State revoked hundreds of visas shortly after the attempted attack because it determined that the individuals could present an immediate threat to the United States. These actions are intended to enhance homeland security, but have also impacted agency resources and the traveling public. An interagency policy committee is also assessing the outcomes and impacts of these actions, but it did not provide details on this effort. Routine assessments could help decision makers and Congress determine if the watchlist is achieving its intended outcomes and help inform future efforts.