

# **Exhibit C**

**U.S. Department of Homeland  
Security**

DHS Traveler Redress Inquiry  
Program (DHS TRIP)  
601 South 12<sup>th</sup> Street, TSA-901  
Arlington, VA 22202-4220



**Homeland  
Security**

January 21, 2015

Mr. Hugh Handeyside  
American Civil Liberties Union Foundation  
125 Broad Street, 18th Floor  
New York, NY 10004

RE: Raymond Earl Knaeble  
Redress Control Number: 2093292

Dear Mr. Handeyside:

The Department of Homeland Security Traveler Redress Inquiry Program (DHS TRIP) received your response of December 15, 2014, providing the reasons supporting your client's belief that his placement on the No Fly List was in error. DHS TRIP provided your submission to the Transportation Security Administration (TSA) for review. Attached, please find a TSA determination regarding your client's redress inquiry.

Sincerely,

A handwritten signature in cursive script that reads "Deborah Moore".

Deborah Moore  
Director, DHS Traveler Redress Inquiry Program

*Office of the Administrator*

U.S. Department of Homeland Security  
601 South 12<sup>th</sup> Street  
Arlington, VA 20598-6001



**Transportation  
Security  
Administration**

### **DECISION AND ORDER**

On December 15, 2014, Raymond Earl Knaeble, through his counsel, submitted a response to the Department of Homeland Security Traveler Redress Inquiry Program (DHS TRIP) providing reasons why he believed his placement on the No Fly List was in error and requesting his removal from that List. For the reasons set forth below, I determine that Mr. Knaeble should remain on the No Fly List.

On June 30, 2010, Mr. Knaeble submitted an inquiry to DHS TRIP describing his travel difficulties. On August 19, 2010, DHS TRIP informed Mr. Knaeble it had conducted a review of his records and determined that no changes were warranted at that time. On November 24, 2014, DHS TRIP informed Mr. Knaeble that it was reevaluating his redress inquiry. DHS TRIP further informed Mr. Knaeble that he was on the No Fly List because he had been identified as an individual who “may be a threat to civil aviation or national security.” 49 U.S.C. § 114(h)(3)(A). In particular, it had been determined that he posed a threat of committing an act of domestic terrorism (as defined in 18 U.S.C. § 2331(5)) with respect to the homeland.

In addition, DHS TRIP provided Mr. Knaeble with a summary of the unclassified facts available for release that supported his placement on the No Fly List and encouraged him to respond with relevant information if he believed the determination was in error or if he felt the information provided to him was inaccurate. DHS TRIP withheld certain information because

additional disclosure would risk harm to national security and jeopardize law enforcement activities. On December 15, 2014, Mr. Knaeble, through his counsel, responded that he believed his placement on the No Fly List was not warranted and provided factual representations he believed to be relevant to DHS TRIP's determination. Mr. Knaeble did not submit any evidence in support of any of these representations.

Upon review of all of the information Mr. Knaeble has submitted to DHS TRIP, as well as other information available related to Mr. Knaeble's placement on the No Fly List, I find that Mr. Knaeble may be a threat to civil aviation or national security; in particular, I find that he is an individual who represents a threat of engaging in or conducting a violent act of terrorism and who is operationally capable of doing so. I therefore conclude that Mr. Knaeble is properly placed on the No Fly List and no change in status is warranted.

Consistent with the protection of national security and law enforcement activities, I can provide the following explanation of my decision:

1. I have considered Mr. Knaeble's contentions concerning his travel to Yemen and other countries. I have concluded, however, that the information available supports Mr. Knaeble's placement on the No Fly List.
2. I have considered Mr. Knaeble's contentions concerning his cooperation with the FBI and other matters addressed in his response letter. I have concluded, however, that the information available supports Mr. Knaeble's placement on the No Fly List.

These conclusions do not constitute the entire basis of my decision, but I am unable to provide additional information. Without specifying all possible grounds for withholding information in this case, information has been withheld for the following particular reasons:

- additional disclosure would risk harm to national security; and

- additional disclosure would jeopardize law enforcement activities.

No Fly List determinations, including this one, are not based solely on the exercise of Constitutionally protected activities, such as the exercise of protected First Amendment activity.

Finally, on November 24, 2014, DHS TRIP informed Mr. Knaeble that he was on the No Fly List because he had been identified as an individual who may be a threat to civil aviation or national security, 49 U.S.C. § 114(h)(3)(A), pursuant to a determination that he posed a threat of committing an act of domestic terrorism (as defined in 18 U.S.C. § 2331(5)) with respect to the homeland. I have determined that Mr. Knaeble is properly placed on the No Fly List because he is an individual who represents a threat of engaging in or conducting a violent act of terrorism and who is operationally capable of doing so. If Mr. Knaeble wishes to submit additional information to DHS TRIP to respond to this basis for my determination, he may do so within 30 calendar days and I will consider that information and reconsider this determination.

This determination will become final 30 calendar days after its issuance unless Mr. Knaeble submits additional information. Final determinations are reviewable in a United States Court of Appeals pursuant to 49 U.S.C. § 46110 or as otherwise appropriate by law. A petition for review must be filed within 60 days of issuance of this order.

1-21-2015  
DATED

  
Melvin J. Carraway  
Acting Administrator  
Transportation Security Administration