

TSA tracks unsuspecting passengers under “Quiet Skies” program

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Members of the Transportation Security Administration (TSA) recently disclosed a secret program to the *Boston Globe* detailing how federal air marshals keep track of Americans at airports who are not suspected of a crime, not under investigation, and not on any terrorist watch list. The program, ominously called “Quiet Skies,” was established to spy on and gather details on people traveling on a plane based on “suspicious behavior.”

The passengers being spied on “are not under investigation by any agency and are not in the Terrorist Screening Data Base,” according to the TSA bulletin released to the *Globe*. The bulletin states how the agency is given wide latitude to determine which passengers to follow and to keeps tabs on and prevent ostensible threats “posed by unknown or partially known terrorists.”

The article stated how some TSA officials grew to have misgivings about the efficacy of the program and its legality, but the agency declined to say whether the program actually prevented any incidents, or even if the program really existed. Nonetheless, TSA spokesman James Gregory reportedly said the release of that information “would make passengers less safe.”

Under the Quiet Skies program, thousands of Americans traveling on airplanes have been spied on by small teams of undercover air marshals. The marshals are given a checklist to document whether the subject “was abnormally aware of surroundings” or if he or she exhibited “behavioral indicators” such as “excessive fidgeting,” “Adam’s apple jump,” “strong body odor,” “cold penetrating stare,” or simply behaviors qualified as “other.” If the “subject’s appearance was different from information provided” and had lost weight, or gained weight, or were balding, or had a beard, or mustache, or even clean-shaven, this would also be

noted by air marshals.

If a subject slept during the flight, even if only briefly, this would be noted. Air Marshals would also keep tabs on seemingly innocent behavior such as if the person were in possession of a phone, or used the phone to talk or text. If the person used the bathroom, traveled or met with others, had checked baggage, or carry-on baggage, or “engaged in conversation with others,” all this would all be noted by an undercover, armed federal agent.

These observations would be documented “minute-by-minute” in two separate reports and then sent to the TSA. According to agency documents, all American citizens are automatically screened for being included in the Quiet Skies program, with their travel patterns and associations checked with a terrorist watch list and other databases.

However, even if a person was “possibly affiliated” with someone on a watch list, this may prompt additional surveillance. When someone is selected for spying, a team of air marshals is then put on that person’s next flight. According to agency documents, the team will then be given a file containing a photo and basic information about their subject.

Some 2,000 to 3,000 federal air marshals are deployed at the major airports and routes deemed to be potentially higher risk, or on routes with someone on a terrorist watch list. While this has been always the case since September 11, 2001, the Quiet Skies program, in which the TSA is actively spying on citizens as part of “special mission coverage,” only began last March.

According to TSA documents, there are about 40 to 50 air marshals on domestic flights every day, with on average, 35 people being actively followed and spied on.

The criteria upon which passengers are screened and

then followed are broad. According to an internal bulletin from May, travelers may be added to the watch list if their “international travel patterns [sic] or behaviors match the travel routing and tradecraft of known or suspected terrorists” or “are possibly affiliated with Watch Listed suspects.”

Suspects can remain on the Quiet Skies watch list “for up to 90 days, or three encounters, whichever comes first, after entering the United States.” The program can also target people who have spent time in one or more specific countries or whose information includes e-mail addresses or phone numbers associated with people on a terrorism watch list.

Passengers can be followed on domestic flights from the moment they pass security, board a flight, and leave their destination airports, with agents being allowed to note the license plate number of the vehicle picking up the person.

The TSA would not disclose how long the information agents collect is stored and said it was only used for internal purposes and not shared with other agencies unless “significant derogatory behavior” is observed.

According to some TSA officials who spoke to the *Globe* on condition of anonymity, they monitored those who posed no threat whatsoever including a businessman, a Southwest Airlines flight attendant, and another police officer.

While the TSA officially denied any program was taking place until only last week, the *Globe*’s exposé has led to lawmakers and civil rights organizations speaking out against the covert domestic spying program. The Council on American-Islamic Relations called on the TSA to abolish the practice, and the ACLU said it plans to file a Freedom of Information Act request to learn more about the program. In addition, top TSA officials have agreed to brief Congress this week.

The TSA’s air marshals program has come under renewed scrutiny following a 2017 Government Accountability Office Report revealed the agency has no information on the effectiveness of armed marshals in preventing terrorist attacks, the declared reason for their undercover presence on flights, even after spending more than \$800 million on the program in 2015 alone.



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