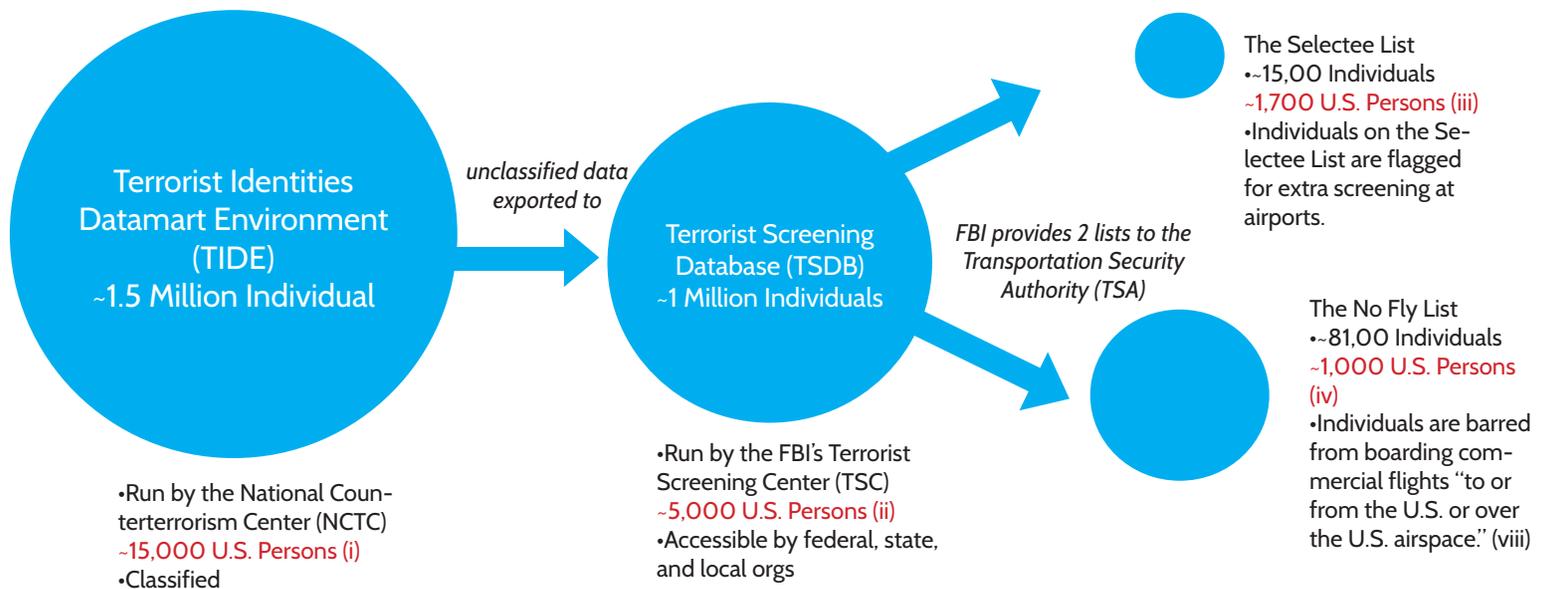


# “The Terrorist Watch List”

When you hear someone refer to the “terrorist watch list” it’s important to ask which one. Out of the known U.S. government maintained “terrorist watch lists” the size, impact, accessibility, and redress processes vary significantly. Here’s a quick look at the 4 most commonly discussed watch lists.



## what should i know about government watch-listing?



- Many details about the government watch listing process remain classified secrets. But we know from leaks that the federal watch listing guidelines are troublingly broad, some only requiring that a low threshold of reasonable suspicion is met before putting a U.S. person on one of the watch lists. In fact, government documents state that an uncorroborated social media post is enough to put an individual on a watch list. (v)
- There are several known cases of erroneously watch listed Americans. For example, a 4-year-old and a sitting U.S. Senator were both on the most consequential watch list - the No Fly List. (vi)
- Leaked information shows that Arab Americans and American Muslims are acutely impacted by government watch listing. In fact, Dearborn, Michigan is the 2nd most watch listed U.S. city, even though it has a population of 96,000 (much smaller than the other cities in the top five-- NYC, Houston, San Diego, and Chicago). The fact that Dearborn is home to the largest concentration of Arab Americans in the U.S., (vii) and second on the list is notable. Based on this, analysts suggest watch listing practices profile and list Americans based on ethnicity and/or religion, not simply reasonable suspicion.
- In 2006, a U.S. Circuit Court Judge ruled that the No Fly List does not violate the constitutionally protected right to interstate travel, because other forms of travel exist. However, in 2014, a U.S. District Court ruled that the No Fly List does violate a U.S. person’s right to travel internationally by commercial air because other means of travel do not exist or are prohibitively expensive. (x)
- In 2014, a U.S. District Court in Oregon ruled that the redress process for the No Fly List is constitutionally inadequate. The government was told to make reforms so that U.S. persons are better able to challenge their presence on the list. (xi) There have not been legal challenges as of yet to a U.S. persons’ placement on the Selectee List or the larger TIDE and TSDB lists. There are troubling cases where individuals who have been wrongfully put on a watch list are coerced into becoming informants in order to have his/her name removed. (xii)
- Data from the TSDB is accessible by federal, state, and local law enforcement and intelligence agencies - which has many privacy implications. But it also may carry serious repercussions for banking, housing, employment and many other services that routinely conduct background checks against law enforcement databases. (xiii) In light of this, being put on a watch list can limit a U.S. person’s constitutional rights without due process of the law.
- There are critical national security reasons for the government to maintain watch lists of suspected terrorists, but these lists must be accurate, based on reasonable suspicion, and there must be a navigable process by which a U.S. citizens is able to legally challenge his/her placement on a watch list.

i. [https://www.feinstein.senate.gov/public/index.cfm/files/serve?File\\_id=FB745343-1DBB-4802-A866-CFDFA300A5AD&SK=08265F9C12D9AA547809D66C87304EA0B](https://www.feinstein.senate.gov/public/index.cfm/files/serve?File_id=FB745343-1DBB-4802-A866-CFDFA300A5AD&SK=08265F9C12D9AA547809D66C87304EA0B)

ii. See endnote i

iii. See endnote i

iv. See endnote i

v. <https://theintercept.com/2014/07/23/blacklisted/>

vi. <http://www.cnn.com/2015/12/07/politics/no-fly-mistakes-cat-stevens-ted-kennedy-john-lewis/>

vii. <https://theintercept.com/2014/08/05/watch-commander/>

viii. [https://www.aclu.org/sites/default/files/assets/no\\_fly\\_list\\_ruling\\_-\\_latif\\_v.\\_holder\\_-\\_6-24-14.pdf](https://www.aclu.org/sites/default/files/assets/no_fly_list_ruling_-_latif_v._holder_-_6-24-14.pdf)

ix. <https://www.fas.org/sgp/crs/homsec/R43730.pdf>

x. See endnote vii

xi. See endnote vii

xii. <http://ccrjustice.org/home/press-center/press-releases/lawsuit-exposes-fbi-abuse-no-fly-list-coerce-individuals-become>

xiii. <https://www.aclu.org/fact-sheet-federal-watch-lists>