

80 [redacted] in the cabin of the aircraft. To the best of my recollection the last guidance issued regarding this topic was a few years ago. This guidance was issued as a result of [redacted]

[redacted] of the aircraft. The most recent carriers I have regulated were [redacted] Prior to that, I was responsible for regulating [redacted] approximately FY2006.

I am aware of the security vulnerability as a result of the louvered blinds located at several checkpoints in Terminal B at DFW Airport. I have been assisting STSI Vernon Johnson and AFSDI Michael McMullen in the resolution of these louvers located within Terminal B. As of August 25, 2008, the airport has completed approximately half (3 of 7) of the construction work to these checkpoints. Sheetrock walls have been placed in the space once occupied by the louvers. The sheetrock is being held in place by steel studs. I have liaised with Department of Public Safety (DPS) officials at DFW in the last two months to address the security vulnerability of the louvers. The checkpoint locations in Terminal B are being monitored by CCTV cameras in the Master Control Room (MCR). I did not conduct an assessment of the louvers in Terminal B as part of an inspection or test over the past two years while I was on the airport inspection team, to the best of my recollection. I was also involved in the verbal interaction of the controlled test that TSI Greg Gayden conducted in Terminal B which included the passing of a box with a knife from the public area to the sterile area to initiate the original finding. Local TSA Regulatory Management is working in conjunction with DFW DPS to remedy this vulnerability and address this security finding. During this interview SA Saunier advised that a Joint Vulnerability Assessment (JVA) was conducted in 2006 which encompassed the louvers as a security vulnerability. I was not afforded the opportunity to participate in the JVA. TSI Stephanie Craine was the only TSI assigned to participate in the JVA.

During this interview I also referenced a security assessment I conducted in 2004 involving the doors at DFW Airport that lead from the public area to the sterile area. I stated that I conducted an assessment of [redacted]

[redacted] I provided this information to AFSDI Phil Zagloul at the time who referred it to the Stakeholder Manager Ralph Tucker for action. I was advised that Mr. Tucker had met with the airport and addressed the gaps. [redacted]

[redacted] My inspection assessments are numbered INS2005DFW0238, INS2008DFW0244, and INS2008DFW0255 for reference.

In summary, I have never been told to overlook the requirements of the security directives (SD) or emergency assessments (EA) issued regarding the aircraft searches. Additionally, to the best of my recollection I did not receive an e-mail authored by STSI Crow in which he suggested that TSIs should turn a blind eye regarding the requirements of the SDs or EAs as they relate to the [redacted] in the cabin. ATD

page 3 of 3

*[Signature]* 08/29/2008

-----Original Message-----

From: Dietz, Aaron  
Sent: Friday, August 29, 2008 10:36 AM  
To: Saunier, Stacey  
Subject: FW: [REDACTED] in 737 [REDACTED]

Stacey,

Please see the email traffic below detailing the [REDACTED] on 737's as it pertains to [REDACTED]  
See the August 14th, 2008 1:14pm and 2:09pm email...discussion with PSI Robert Vogt.

Aaron Dietz  
Supervisor Transportation Security Inspector (Acting)  
U.S. Department of Homeland Security  
TSA- Dallas/ Fort Worth International Airport  
Office: 469-948-1880 Cell: 972-890-2612

-----Original Message-----

From: Vogt, Robert  
Sent: Thursday, August 14, 2008 2:00 PM  
To: Dietz, Aaron  
Subject: RE: [REDACTED] in 737 [REDACTED]

Aaron:

We all talked and we are in agreement that the [REDACTED]  
Can you confirm that this is a [REDACTED]

Have you approached [REDACTED] with this?

Thanks for the help.

Robert A. Vogt  
Principal Security Inspector  
Commercial Airlines Branch

Transportation Security Administration  
Department of Homeland Security  
(571) 227-1959

-----Original Message-----

From: Dietz, Aaron  
Sent: Thursday, August 14, 2008 2:31 PM  
To: Vogt, Robert  
Cc: McMullen, Michael <AFSD>; Johnson, Vernon <STSI>  
Subject: RE: [REDACTED] in 737 [REDACTED]

The safety portion of the flight area is not affected by the inspection. When the [REDACTED]  
[REDACTED] It is our contention that since the [REDACTED]  
[REDACTED] it has to be searched based on previous guidance.....is this correct? Please  
see previous guidance below based on 737's for [REDACTED]

Previous guidance received:

From: Glover, Robert A  
Sent: Wednesday, June 11, 2008 1:44 PM  
To: Johnson, Vernon <STSI>  
Cc: Kris, Joseph E  
Subject: [REDACTED] Clarification

Vernon

Thought this question was answered already but just found out that it wasn't. So here it is:

[REDACTED]  
be in violation if that is not happening.

Robert

-----Original Message-----

From: Vogt, Robert  
Sent: Thursday, August 14, 2008 1:14 PM  
To: Dietz, Aaron  
Subject: RE: [REDACTED] in 737 [REDACTED]

Aaron:

Can you share your guidance regarding this [REDACTED] Guidance to the field has been that [REDACTED] areas are not to be inspected. If I understand the description correctly, this sounds like a [REDACTED] area.

Thanks,  
Bob

Robert A. Vogt  
Principal Security Inspector  
Commercial Airlines Branch  
Transportation Security Administration  
Department of Homeland Security  
(571) 227-1959

-----Original Message-----

From: Dietz, Aaron  
Sent: Thursday, August 14, 2008 2:09 PM  
To: Vogt, Robert  
Cc: McMullen, Michael <AFSD>; Johnson, Vernon <STSI>; Jenkins, Steve  
Subject: RE: [REDACTED] in 737 [REDACTED]

Bob,

Attached is a description of an interior cabin search conducted by one of our TSI's during an [REDACTED] search this morning. As referenced in the email traffic below, [REDACTED] does not search the [REDACTED]

[REDACTED] As referenced in the TSI's statement, when the [REDACTED] We have received guidance from [REDACTED] your office on this issue regarding [REDACTED] DFW will be issuing an LOI to the [REDACTED] corporate office. Thanks

Aaron

Aaron Dietz

Supervisor Transportation Security Inspector (Acting) U.S. Department of Homeland Security  
TSA- Dallas/ Fort Worth International Airport  
Office: 469-948-1880 Cell: 972-890-2612

-----Original Message-----

From: Vogt, Robert  
Sent: Wednesday, July 30, 2008 8:38 AM  
To: Johnson, Vernon <STSI>  
Subject: Re: [REDACTED] in 737 [REDACTED]

Please reach out to the local station manager and request. they coordinate with their corporate office to assist with a resolution. Alternatively, you can initiate a LOI which will force them to address the matter. No direction specific to this panel has been initiated by our office as far as I know.

Thanks.

----- Original Message -----

From: Johnson, Vernon <STSI>  
To: Vogt, Robert  
Cc: McMullen, Michael; Dietz, Aaron  
Sent: Wed Jul 30 09:29:27 2008  
Subject: FW: [REDACTED] in 737 [REDACTED]

Bob,

I have discussed with Inspector Kevin Toth with regards to this issue. Kevin stated that this same issue was brought forward with [REDACTED] all operators of the 737 series aircraft that have this [REDACTED]

I have attached 2 photographs of the [REDACTED]

One shows the [REDACTED] 737 [REDACTED] and the other shows [REDACTED]

If there is an amendment or guidance on this issue, I have not been able to locate on the web board. Could you please advise what the official guidance on this issue is?

Thanks again for all your help on this issue.

Regards,

Vernon W. Johnson  
Supervisor Transportation Security Inspector Department of Homeland Security  
Transportation Security Administration Dallas/Fort Worth International Airport  
469-948-1859 | Office  
214-298-4977 | Cell  
vernon.johnson@dhs.gov

-----Original Message-----

From: Johnson, Vernon <STSI>  
Sent: Monday, July 28, 2008 1:36 PM  
To: Vogt, Robert  
Cc: McMullen, Michael; Dietz, Aaron  
Subject: RE: [REDACTED] in 737 [REDACTED]

Bob,

I appreciate the quick response. Just so we are on the same page, there is no dispute on the exemption of the [REDACTED] This issue here is that the [REDACTED] are contained in a much [REDACTED] [REDACTED] Lastly, could you please provide a copy of the guidance that was distributed industry wide as it relates to this issue. This will give our inspectors some clear cut guidance on this issue. Thanks again for your assistance with this issue.

Regards,

Vernon W. Johnson  
Supervisor Transportation Security Inspector Department of Homeland Security  
Transportation Security Administration Dallas/Fort Worth International Airport  
469-948-1859 | Office  
214-298-4977 | Cell  
vernon.johnson@dhs.gov

-----Original Message-----

From: Vogt, Robert  
Sent: Monday, July 28, 2008 12:33 PM

To: Johnson, Vernon <STSI>

Subject: Re: [REDACTED] in 737 [REDACTED]

We have provided industry wide guidance that areas involving [REDACTED] such as the [REDACTED] for inspection.

----- Original Message -----

From: Johnson, Vernon <STSI>

To: Vogt, Robert

Cc: McMullen, Michael

Sent: Mon Jul 28 13:14:28 2008

Subject: FW: [REDACTED] in 737 [REDACTED]

Robert,

I have reviewed the carrier profile in PARIS for [REDACTED]. The only amended security program for aircraft searches that I could find were related to the exterior search requirements. I could not find anything related to the interior search requirements.

Regards,

Vernon W. Johnson  
Supervisor Transportation Security Inspector  
Department of Homeland Security  
Transportation Security Administration  
Dallas/Fort Worth International Airport  
469-948-1859 | Office  
214-298-4977 | Cell  
vernion.johnson@dhs.gov

---

From: Johnson, Vernon <STSI>

Sent: Monday, July 28, 2008 11:34 AM

To: Vogt, Robert

Cc: McMullen, Michael; Dietz, Aaron

Subject: FW: [REDACTED] in 737 [REDACTED]

Bob,

Please see the response from [REDACTED] station manager Mark Lascola at DFW with regards to the [REDACTED] of the 737 aircraft.

Attached is a photograph of the [REDACTED] of the 737 aircraft. This [REDACTED]

[REDACTED] From our standpoint these compartments are required to be searched in accordance with 12.3.1 of the AOSSP. They either need to be part of the daily search requirements, or searched [REDACTED]

These pictures show that this [REDACTED]

Regards,

Vernon W. Johnson  
Supervisor Transportation Security Inspector  
Department of Homeland Security  
Transportation Security Administration  
Dallas/Fort Worth International Airport  
469-948-1859 | Office  
214-298-4977 | Cell  
vernon.johnson@dhs.gov

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From: Toth, Kevin  
Sent: Monday, July 28, 2008 10:47 AM  
To: Johnson, Vernon <STSI>  
Subject: FW: [REDACTED] in 737 [REDACTED]

Here is the response that I received from [REDACTED]

Kevin C. Toth  
Department of Homeland Security  
Transportation Security Inspector

DFW International Airport  
Coppell, TX 75019  
Office: (469) 948-1873  
Cell: (214) 952-6165  
kevin.toth@dhs.gov <mailto:kevin.toth@dhs.gov>

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From: Lascola, Mark [mailto:Mark.Lascola@[REDACTED].com]  
Sent: Wednesday, June 04, 2008 11:14 AM  
To: Toth, Kevin  
Cc: Idris, Omar  
Subject: [REDACTED] in 737 [REDACTED]

Kevin,

I have contacted our Headquarters Policy and Procedure Department for Airport Services. The unit you referred to is not an [REDACTED] therefore it is not inspected.

Please feel free to contact our headquarters using your TSA liaison [REDACTED] for any additional comments or questions as this more of a policy and procedures issue.

Regards,  
Mark LaScola  
General Manager  
[REDACTED]

**ATTACHMENT 15**

**Attachment 15**

# SENSITIVE SECURITY INFORMATION



## MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: <input type="checkbox"/> Personal Interview <input type="checkbox"/> Telephone Interview <input type="checkbox"/> Records Review <input checked="" type="checkbox"/> Other	Date and Time: August 25, 2008
Activity or Interview of: Cedric Alexander Federal Security Director (FSD) Dallas-Fort Worth International Airport (DFW)  Michael Donnelly Assistant Federal Security Director for Operations (AFSD-OPs) DFW  Mark Holmstrup Attorney Advisor, Office of Chief Counsel (OCC) DFW	Conducted by: Special Agent Stacey L. Saunier Special Agent James Greer  Location of Interview/Activity:  FSD Office 510 Airline Drive Coppell, TX

### Subject Matter/Remarks

Special Agent (SA) James Greer and I called a meeting between the above named individuals for the purpose of discussing the investigation and for me to get a better understanding of the events that lead to the complaint being filed by Transportation Security Inspector (TSI) Kevin Toth.

I began the meeting by asking the status of Supervisory Transportation Security Inspector (STSI) Wes Crow's [REDACTED] leave. I was advised that he [REDACTED] continued to remain off work. Additionally, I was advised that Crow had not requested he be granted leave under the family medical leave act (FMLA).

Based on my past interview of AFSD-OPs Donnelly, in which I was advised that the FSD had determined that Assistant Federal Security Director for Inspections (AFSD-I) Phil Zagloul and STSI Crow had lied to him about the status of the Inspections division and the work that had been completed, I asked if they had begun taking action against Crow for dereliction of duty and lying to the FSD. I suggested they begin their action as soon as possible since my investigation could take a while and since Crow could return to work without notice. Attorney Holmstrup and FSD Alexander

Case Number:  
1080315

Case Title:  
Possible Violation of Security Directive DFW- Regulatory

Revised February 28, 2006

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# SENSITIVE SECURITY INFORMATION

## MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

determined they would proceed with the information they gathered in the first few weeks of May 2008 when the TSIs began providing information against Zaglool and Crow. Additionally, they discussed the option of amending the charges against Crow if there were additional issues uncovered by my investigation.

FSD Alexander explained he was absolutely unaware of the issues brought forth by TSI Toth. Alexander advised that upon hearing the information Toth (and another TSI) provided, he instantly initiated a plan of action to include the following:

- He assigned the then stakeholder manager (current AFSD-I) to a fact finding mission regarding the issues brought forward by TSI Toth, and then three additional TSIs were interviewed and an audit of PARIS was performed and a controlled test of the checkpoint was conducted.
- Upon receiving validation to the allegations he met with STSI Crow and advised him of the allegations and the results of the interviews and the audit. STSI Crow requested, and was granted leave.
- He had the information forwarded to the local DFW Office of Inspection, Inspections and Investigations Division (OI/IID) for evaluation and investigation.
- He called a mandatory staff meeting in which he told everyone he had an open door policy; would foster an environment free of hostility and where all would be treated with respect.
- He met with AFSD-I Zaglool who admitted that mistakes were made and that work had not been done.
- AFSD-I Zaglool asked for leave, which was granted.
- He announced the AFSD-I position, which was filled by the stakeholder manager (the one tasked with the fact finding).
- He also announced an STSI position, which has also been filled.
- He also assigned one of the local TSIs to act in Crow's position until it was determined what would happen with Crow.
- He has encouraged his staff to bring issues to his attention immediately.
- He is having weekly meetings to have open discussions on issues as they arise
- He is attempting to rebuild the trust of the division.
- He is offering the support of management, which is something the TSIs advised they previously did not have from Zaglool and Crow.

I asked Alexander whether he received a response from the Management Inquiries Branch (MIB) regarding the complaint package he had sent to DFW OI/IID. Alexander advised he had received something from the MIB, but he was unaware that he was required to provide a response. Alexander explained that he and his staff prepared a very detailed account of the events that occurred in May 2008 and forwarded the package for review. Alexander was apologetic for not realizing the MIB had returned the package for his response. Alexander advised he would find someone outside of DFW to conduct the inquiry into all of the allegations brought forward by the TSIs at DFW.

Case Number: 1080315	Case Title: Possible Violation of Security Directive DFW- Regulatory
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Revised February 28, 2006

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**ATTACHMENT 16**

**Attachment 16**

# SENSITIVE SECURITY INFORMATION



## MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: <input checked="" type="checkbox"/> Personal Interview <input type="checkbox"/> Telephone Interview <input type="checkbox"/> Records Review <input type="checkbox"/> Other	Date and Time: August 26, 2008 7:45 a.m.
Activity or Interview of: Benjamin S. Mendoza Transportation Security Inspector (TSI) Dallas-Fort Worth International Airport (DFW)	Conducted by: Special Agent Stacey L. Saunier Special Agent James Greer
	Location of Interview/Activity: OI/INVD DFW Office Coppell, TX

Subject Matter/Remarks

Special Agent James Greer and I introduced and identified ourselves to Mendoza. Mendoza was advised he was being interviewed as a witness regarding an allegation involving alleged security issues at DFW. Specifically, Mendoza was advised that the allegation involved management at DFW not requiring the airlines to fully self inspect in accordance with the security directives. Additionally, Mendoza was advised that there was alleged to be a potential security issue involving the louvered blinds at seven checkpoints in the B concourse. Mendoza advised he understood. Mendoza provided the following background information:

He started his federal government career with the Federal Aviation Administration in September 2001. He transitioned to TSA and was in DFW through 2002. From 2002 through 2005, he was in Oklahoma City. In August 2005, he returned to DFW.

Regarding the issue of aircraft searches as they relate [REDACTED] Mendoza was asked whether he has always required airlines that were assigned to him to search [REDACTED] Mendoza advised as follows:

When he has had airlines assigned to him he has always required the airlines to search [REDACTED] He has found that some aircraft models do not have the [REDACTED] so in those cases the requirement would not be applicable.

Case Number: I080315	Case Title: Possible Violation of Security Directive DFW- Regulatory
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Revised February 28, 2006

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## SENSITIVE SECURITY INFORMATION

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### MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

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During the time he has been back at DFW, he has been assigned to work with TSI Stephanie Craine doing airport inspections. During those times he would not have been assigned any airlines.

Mendoza advised he had never heard management indicate that he should turn a blind eye to the security directives. He was not aware that an e-mail existed in which DFW management suggested TSIs should turn a blind eye when conducting inspections. He is not part of any of the office cliques. He has never seen such an e-mail.

Regarding the louvered blinds located at seven checkpoints in Terminal B, Mendoza advised he was aware of the vulnerability these louvered blinds caused. When he started back at TSA, he took over the airport inspections from TSI Toth. Mendoza was aware that Toth had security concerns with the louvered blinds and that Toth had brought his concerns to STSI Crow and AFSD-R Zagloul. Mendoza had heard that Zagloul had indicated that the louvered blinds had been in place for many years. Neither Zagloul nor Crow instructed him to inspect the louvered blinds again. He is aware that the security vulnerability posed by the louvered blinds is being addressed by the airport.

In summary, Mendoza never received the "turn a blind eye" e-mail, and he was never told by management to overlook the requirements of the security directives or emergency amendments as they relate to aircraft searches. Mendoza has always, when he had airlines assigned to him, required the airlines to search [REDACTED]

Mendoza was asked to provide a sworn statement to which he agreed. Attached to this memorandum of interview is a copy of the sworn statement.

Case Number:

1080315

Case Title:

Possible Violation of Security Directive DFW- Regulatory

Revised February 28, 2006

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# SWORN STATEMENT



Transportation  
Security  
Administration

I, BENJAMIN S. MENDOZA FA, having been duly sworn, hereby make the following statement to Stacey Sannier & James Greer, who has been identified to me as a federal law enforcement officer and special agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

\*\*\* SEE ATTACHED STATEMENT \*\*\*

I have read this entire statement consisting of 3 pages. I have been given the opportunity to make any corrections necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have that relates to the matters under investigation or review.

B. Mendoza  
Signature 8/27/2008

Signed and sworn to before me, this 27 day of August, 2008.

James D. Greer  
Witness 8/27/08

Stacey L. Sannier  
Special Agent  
Transportation Security Administration 8-27-08  
Department of Homeland Security  
Authority to administer oaths: 5 U.S.C. § 303

Statement of Transportation Security Inspector Benjamin Mendoza

*BMM*  
On August 26, 2008 I was interviewed by Special Agents (SA) Stacey Saunier and James Greer from the Office of Inspection, Investigations Division. I was advised that I was being interviewed as a witness in an investigation. SA Saunier advised she was assigned to investigate an allegation that a security vulnerability exists at Dallas-Fort Worth International Airport (DFW) due to the airlines not being required to follow the security directives as they relate to searching [REDACTED] the aircraft. Additionally, there are allegations of potential security vulnerabilities involving the louvered blinds at seven checkpoints in the B concourse at DFW. Specifically, it is alleged that someone on the public side could pass a prohibited item to someone on the sterile side by passing the item through the louvered blinds located above the doors.

I began a second tour of duty at Dallas/Ft. Worth International Airport (DFW) in August of 2005 and immediately upon transferring from another station I was assigned by Phil Zagloul to work exclusively with DFW Airport with regards to performing inspections. Wes Crow was newly promoted at the time and served as my Supervisor during that time. I served in a strictly airport inspection capacity up until approximately the beginning of calendar year 2007 at which time I was given [REDACTED] to inspect. The managerial approach was for me to take it upon myself to get up to speed and perform inspections and in the event that I needed assistance to ask for it. I gave due diligence in researching changes and amendments to air carrier operator regulations and security programs, part of the requirements for air carriers was to ensure that [REDACTED] search was being performed. It soon became evident to me through performing interior cabin inspections that a myriad of designs existed with regards [REDACTED] from the onset I expected that the air carrier meet the spirit of the security directives and AOSSP with regard to these security measures and always approached my inspection from this position. I cannot declare that every inspection resulted in non-findings however I would only engage air carrier station personnel on obvious security inadequacies [REDACTED] however I did not detect a trend in non-compliance whereby the carrier seemed to not understand the applicability of the regulation. I have carried forward with each air carrier since that time, [REDACTED] in late 2007 and into 2008 as well with my current air carrier [REDACTED] on affected aircraft.

The same conditions apply to the carrier's application of security measures [REDACTED]. As part of my interview with SA Saunier and SA Greer I was asked whether I was ever party to an email stating for TSI's to "turn a blind eye" on requiring the carrier to self inspect or provide security in this area. I was not party to such an email and believe that the time period in which I began performing air carrier inspections (early 2007 to current) yielded in inspections whereby the carrier was aware of what local TSA expected in securing [REDACTED]. I have not experienced an inordinate amount of findings with any of my carriers with regards to [REDACTED] security.

Lastly on the issue of louvers at various Terminal B checkpoints, this issue was stated as to have occurred during my early tenure back at DFW in that I was given instruction by Philip Zagloul and Wes Crow to take over the airport comprehensive inspection along with TSI *BMM*

*page 2 of 3*  
*Benjamin Mendoza*  
*8/27/08*

*3/11* Stephanie Craine from the existing TSI Kevin Toth. We were only advised that TSI Toth was being assigned to other duties based on "issues" with the airport, I was not able to provide anything factual in documentation to SA Saunier but did reference a verbal discussion with a Department of Public Safety Sgt. Diangson in which he stated that he didn't appreciate the manner in which TSI Toth followed-up on a discussion related to some finding. Specifically the issue with the louvers was not documented as a finding in the PARIS inspection although I do remember TSIs Toth and Greg Gayden verbally expressing discontent with Philip Zagloul not pursuing the vulnerability with DFW airport. In the following fiscal year FY06 we were not instructed by Philip Zagloul nor Wes Crow to look over or perform tests/inspections of the louver system in Terminal B and based on my overhearing discussions from TSIs Toth and Gayden it was apparent that Philip Zagloul was firm in taking a stance that they had been in place for many years and that a threat was not imminent. Currently the issue specific to louvers in Terminal B is being addressed outside of my purview and visibility and if asked I would lend full support toward identifying and implementing a solution. *3/11*

End of Statement.

*Stephanie Craine*  
*8/27/2008*

**ATTACHMENT 17**

**Attachment 17**

# SENSITIVE SECURITY INFORMATION



## MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: <input checked="" type="checkbox"/> Personal Interview <input type="checkbox"/> Telephone Interview <input type="checkbox"/> Records Review <input type="checkbox"/> Other	Date and Time: August 26, 2008 10:00 a.m.
Activity or Interview of: Dennis A. Bonewitz Transportation Security Inspector (TSI) Dallas-Fort Worth International Airport (DFW)	Conducted by: Special Agent Stacey L. Saunier Special Agent James Greer
	Location of Interview/Activity: OI/INVD DFW Office Coppell, TX

### Subject Matter/Remarks

Special Agent James Greer and I introduced and identified ourselves to Bonewitz. Bonewitz was advised he was being interviewed as a witness regarding an allegation involving alleged security issues at DFW. Specifically, Bonewitz was advised that the allegation involved management at DFW not requiring the airlines to fully self inspect in accordance with the security directives. Additionally, Bonewitz was advised that there was alleged to be a potential security issue involving the louvered blinds at seven checkpoints in the B concourse. Bonewitz advised he understood. Bonewitz provided the following background information:

He started his federal government career with the Federal Aviation Administration (FAA) in November 1988 in the flight standards side of the FAA house. He transitioned to the security side of the house in 1998. In 2000 he was selected as a special agent with the FAA and in January 2001, he went to training in Oklahoma City to be a Civil Aviation Security Inspector (CASI). He transitioned to TSA as a TSI in 2002 and rolled out at Dallas Love Field, where he stayed until January 2005, when he transferred to DFW.

Regarding the issue of aircraft searches as they relate to [REDACTED]

[REDACTED] Bonewitz was asked whether he has always required airlines that were assigned to him to search [REDACTED] Bonewitz advised as follows:

Case Number: 1080315	Case Title: Possible Violation of Security Directive DFW- Regulatory
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Revised February 28, 2006

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**SENSITIVE SECURITY INFORMATION**

**MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)**

He has always required the airlines assigned to him to search [REDACTED]

Bonewitz advised he had never heard management indicate that he should turn a blind eye to the security directives. He was not aware that an e-mail existed in which DFW management suggested TSIs should turn a blind eye when conducting inspections. He has never seen such an e-mail.

Regarding the louvered blinds located at seven checkpoints in Terminal B, Bonewitz advised he became aware of the vulnerability these louvered blinds caused back when he was with the FAA (pre-TSA). However, he was unaware that this vulnerability still existed since he is not involved in the airport inspections.

In summary, Bonewitz never received the "turn a blind eye" e-mail, and he was never told by management to overlook the requirements of the security directives or emergency amendments as they relate to aircraft searches. Bonewitz has always required the airlines to search [REDACTED]

Bonewitz was asked to provide a sworn statement to which he agreed. Attached to this memorandum of interview is a copy of the sworn statement.

Case Number: 1080315	Case Title: Possible Violation of Security Directive DFW- Regulatory
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Revised February 28, 2006

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# SWORN STATEMENT



Transportation  
Security  
Administration

I, DENNIS A. BONEWITZ, having been duly sworn, hereby make the following statement to Stacey Sannier & James Greer, who has been identified to me as a federal law enforcement officer and special agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

\*\*\* SEE ATTACHED STATEMENT \*\*\*

I have read this entire statement consisting of 2 pages. I have been given the opportunity to make any corrections necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have that relates to the matters under investigation or review.

Dennis A. Bonewitz 8-27-08  
Signature

Signed and sworn to before me, this 27 day of August, 2008.

James D. Greer  
Witness 8/27/08

Stacey Sannier  
Special Agent 8-27-08  
Transportation Security Administration  
Department of Homeland Security  
Authority to administer oaths: 5 U.S.C. § 303

Statement of Transportation Security Inspector Dennis Bonewitz

*alb* On August 26, 2008, I was interviewed by Special Agents (SA) Stacey Saunier and James Greer from the Office of Inspection, Investigations Division. I was advised that I was being interviewed as a witness in an investigation. SA Saunier advised she was assigned to investigate an allegation that a security vulnerability exists at Dallas-Fort Worth International Airport (DFW) due to the airlines not being required to follow the security directives as they relate to searching [REDACTED] the aircraft. Additionally, there are allegations of potential security vulnerabilities involving the louvered blinds at seven checkpoints in the B concourse at DFW. Specifically, it is alleged that someone on the public side could pass a prohibited item to someone on the sterile side by passing the item through the louvered blinds located above the doors.

I have and still do expect the carriers assigned to me to follow the security directives/Aircraft Operator Standard Security Program (AOSSP) regarding searching [REDACTED]

I have and still do hold my assigned carriers responsible for following applicable security directives/the AOSSP in regards to searching [REDACTED] the aircraft cabin.

I did not receive or hear about a "turn a blind eye" e-mail relating to aircraft searches; specifically regarding [REDACTED]

I became aware of an issue regarding the vulnerability of louvered vents/blinds over screening checkpoint entrances in Terminal B sometime back in 2001 (pre 9-11, FAA era), when in the course of a discussion with a DFW Department of Public Safety Officer he used his baton to show me the vents. I recall that those vents, as well as some others in place around the airport, were the subject of discussion between the FAA and airport as a vulnerability, but do not remember the outcome.

Until a week or so ago I was not aware that the vents/louvers were still at issue, as I have been primarily assigned to aircraft operator duties and have not been involved with airport-specific inspection duties. This has to have a simple fix—surely the 1974 era architecture of DFW does not require extensive engineering to close off an area or install a suitable door. *alb*

**ATTACHMENT 18**

**Attachment 18**

# SENSITIVE SECURITY INFORMATION



## MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: <input checked="" type="checkbox"/> Personal Interview <input type="checkbox"/> Telephone Interview <input type="checkbox"/> Records Review <input type="checkbox"/> Other	Date and Time: August 26, 2008 1:00 p.m.
Activity or Interview of: Jerisa A. Baptist Transportation Security Inspector (TSI) Dallas-Fort Worth International Airport (DFW)	Conducted by: Special Agent Stacey L. Saunier Special Agent James Greer
	Location of Interview/Activity: OI/INVD DFW Office Coppell, TX

Subject Matter/Remarks

Special Agent James Greer and I introduced and identified ourselves to Baptist. Baptist was advised she was being interviewed as a witness regarding an allegation involving alleged security issues at DFW. Specifically, Baptist was advised that the allegation involved management at DFW not requiring the airlines to fully self inspect in accordance with the security directives. Additionally, Baptist was advised that there was alleged to be a potential security issue involving the louvered blinds at seven checkpoints in the B concourse. Baptist advised she understood. Baptist provided the following background information:

She started her federal government career with the Federal Aviation Administration (FAA) in 1998. She transitioned to the Transportation Security Administration in March 2003 and has been at DFW the entire time.

Regarding the issue of aircraft searches as they relate [REDACTED] Baptist was asked whether she has always required airlines that were assigned to her to search [REDACTED] Baptist advised as follows:

She has always required the airlines assigned to her to search [REDACTED]

Case Number: 1080315	Case Title: Possible Violation of Security Directive DFW- Regulatory
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Revised February 28, 2006

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## SENSITIVE SECURITY INFORMATION

### MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

She is aware of the "turn a blind eye e-mail" STSI Wes Crow sent to TSI Kevin Toth advising that TSIs should turn a blind eye as it related to the searching of aircraft. She has seen and read the e-mail.

She has also heard STSI Crow and AFSD-R Phil Zaglool talk about not conducting thorough searches of aircraft. She recalled an instance when TSI Kevin Toth was asking questions about the [REDACTED] Toth was persistent and kept asking questions and that is when she heard both Crow and Zaglool tell Toth to stop looking for trouble [REDACTED] Toth was very persistent and was continuously bringing issues and asking questions about the [REDACTED] That is when Crow wrote the "turn a blind eye" e-mail. She did read the e-mail, but she chose not to follow the direction suggested by Crow. She felt it was her job to follow the requirements of the security directives and the emergency amendments, so she continued to require her assigned airlines to search [REDACTED]

Regarding the [REDACTED] she has always required her assigned airlines to search [REDACTED]

Regarding the louvered blinds located at seven checkpoints in Terminal B, Baptist advised she became aware of the vulnerability these louvered blinds caused through overhearing conversations between TSIs Kevin Toth and Greg Gayden. She has heard Gayden indicate he had informed management many times about the vulnerability, but nothing was done. Since she is not assigned to airport inspections, she is unaware of the current condition of the louvered blinds.

In summary, Baptist did read the "turn a blind eye" e-mail, but she did not follow the recommendation by Crow. Baptist has also heard Crow and Zaglool talk about not "looking for trouble" regarding the [REDACTED] Baptist has always required the airlines to search [REDACTED]

Baptist was asked to provide a sworn statement to which she agreed. Attached to this memorandum of interview is a copy of the sworn statement.

Case Number:  
1080315

Case Title:  
Possible Violation of Security Directive DFW- Regulatory

Revised February 28, 2006

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# SWORN STATEMENT



Transportation  
Security  
Administration

I, Jerisa A. Baptist, having been duly sworn, hereby make the following statement to Stacey Saurier & James Greer, who has been identified to me as a federal law enforcement officer and special agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

\*\*\* SEE ATTACHED STATEMENT \*\*\*

I have read this entire statement consisting of 3 pages. I have been given the opportunity to make any corrections necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have that relates to the matters under investigation or review.

Jerisa A. Baptist  
Signature

August 28, 08

Signed and sworn to before me, this 28 day of August, 2008.

J. D. Greer  
Witness 8/28/08

Stacey Saurier  
Special Agent  
Transportation Security Administration 8/28/08  
Department of Homeland Security  
Authority to administer oaths: 5 U.S.C. § 303

Jerisa A. Baptist August 28, 08

Statement of Transportation Security Inspector Jerisa Baptist

JAB On August 26, 2008 at approximately, 1300 hours, I, Transportation Security Inspector (TSI) Jerisa A. Baptist was interviewed by Special Agents (SA) Stacey Saunier and James Greer from the Office of Inspection, Investigations Division. I was advised that I was being interviewed as a witness in an investigation. SA Saunier advised that she was assigned to investigate an allegation that a security vulnerability exists at Dallas-Fort Worth International Airport (DFW) due to the airlines not being required to follow the security directives as they relate to searching [REDACTED] the aircraft. Additionally, there are allegations of potential security vulnerabilities involving the louvered blinds at seven checkpoints in the B concourse at DFW. Specifically, it is alleged that someone on the public side could pass a prohibited item to someone on the sterile side by passing the item through the louvered blinds located above the doors.

I informed SA Saunier that I have worked in civil aviation since August 2, 1998, formally with the Department of Transportation, Federal Aviation Administration and transitioned to the Department of Homeland Security, Transportation Security Administration in March 2003. I informed SA Saunier that I was aware of an e-mail message that was generated by Supervisory TSI (STSI) Wes Crow regarding security measures at DFW when conducting aircraft searches on assigned air carriers. I remember reading the e-mail authored by Crow, but cannot recall if the e-mail message was sent to all Regulatory employees or if the message was forwarded to me from another TSI. However, I do know the e-mail read for inspectors to turn a blind eye to air carrier search procedures when conducting searches of [REDACTED]. I recall TSI Kevin Toth posing the question of searching aircraft [REDACTED] to Assistant Federal Security Director for Inspection (AFSD-I) Philip Zagloul and STSI Wes Crow. The discussion was whether to conduct a search [REDACTED]

[REDACTED] This issue was addressed several times by Toth, but I don't know if it was ever resolved. I do know an e-mail came out stating to turn a blind eye. In addition, during a bi-weekly staff meeting Zagloul discussed the [REDACTED] are more problems than they are worth. Zagloul stated to leave the [REDACTED] alone.

I have always required air carriers to comply with security directives and/or emergency amendments. All of my assigned carriers, domestic and foreign, were advised to conduct a search of all [REDACTED] on the aircraft, to include [REDACTED]

[REDACTED]

JP

[REDACTED]

All my assigned carriers, domestic and foreign, were advised to conduct a search of [REDACTED] I advised the carriers if the [REDACTED] ensure that corrective action is taken to fix the problem. Most if not all of the air carriers notify their ground security coordinator and airline maintenance to search [REDACTED]

I have always required air carriers to comply with security directives and/or emergency amendments. At no time, have I followed the direction of Zagloul and/or Crow with the guidance given at meetings or in the "turn a blind eye" e-mail. I know my job and I would be negligent if I did not do the right thing. I have observed, reviewed and interviewed airline and [REDACTED]

[REDACTED]

If an issue were to arise, I would notify airline the jao representative, correct the finding and document information in data system, Performance And Results Information System (PARIS).

I informed SA Saunier that I was aware of the louvered vents at DFW. However, I did not have direct knowledge of the security vulnerability as it relates to the louvered vents. I recall TSIs Kevin Toth, Gregory Gayden and Arnie Salinas discussing the risk involved with openings at the airport and a threat item could be passed over from the public area to the sterile/secure area of the airport. I was not assigned to then DFW airport inspection team; I shared an office with Gayden and Toth on separate occasions and heard discussions regarding the openings over some doors, but did not know the location. Toth and Gayden were discussing the requirement of securing the door openings and reported the findings to both Crow and Zagloul. Crow's and Zagloul's response was to leave the issue alone it has been that way for years. I don't recall if the issue was resolved. Since I was not assigned to the airport inspection team, I did not focus on the airport issues. However, I would not walk away from a violation of any type. Zagloul appointed staff that was more likely to follow his direction. I believe Toth and Gayden were removed from the airport assignment. Crow and Zagloul have poor regard for TSA security and especially TSA Screening Operations. JP

Guadalupe August 28, 08

**ATTACHMENT 19**

**Attachment 19**

# SENSITIVE SECURITY INFORMATION



## MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: <input checked="" type="checkbox"/> Personal Interview <input type="checkbox"/> Telephone Interview <input type="checkbox"/> Records Review <input type="checkbox"/> Other	Date and Time: August 27, 2008 7:30 a.m.
Activity or Interview of: James Martin Transportation Security Inspector (TSI) Dallas-Fort Worth International Airport (DFW)	Conducted by: Special Agent Stacey L. Saunier Special Agent James Greer
	Location of Interview/Activity: OI/INVD DFW Office Coppell, TX

### Subject Matter/Remarks

Special Agent James Greer and I introduced and identified ourselves to Martin. Martin was advised he was being interviewed as a witness regarding an allegation involving alleged security issues at DFW. Specifically, Martin was advised that the allegation involved management at DFW not requiring the airlines to fully self inspect in accordance with the security directives. Additionally, Martin was advised that there was alleged to be a potential security issue involving the louvered blinds at seven checkpoints in the B concourse. Martin advised he understood. Martin provided the following background information:

He started with the Transportation Security Administration (TSA) in August 2002, and began as a TSI at DFW in late 2003 to early 2004.

Regarding the issue of aircraft searches as they relate [REDACTED] Martin was asked whether he has always required airlines that were assigned to him to search [REDACTED] those areas. Martin advised as follows:

He has always required the airlines assigned to him to search [REDACTED]

Martin advised he had never heard management indicate that he should turn a blind eye to the security directives. He was not aware that an e-mail existed in which DFW management suggested

Case Number: I080315	Case Title: Possible Violation of Security Directive DFW- Regulatory
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Revised February 28, 2006

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**SENSITIVE SECURITY INFORMATION**

**MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)**

TSIs should turn a blind eye when conducting inspections. However, he is not surprised that STSI Wes Crow would write an e-mail suggesting TSIs turn a blind eye to the search requirements of the security directives and the emergency amendments. In Martin's opinion, STSI Crow did not want to work so he would avoid bringing up issues, especially if that meant he would need to contact headquarters.

Regarding the louvered blinds located at seven checkpoints in Terminal B, Martin advised he became aware of the vulnerability these louvered blinds caused back when he was with the FAA (pre-TSA). However, he was unaware that this vulnerability still existed since he is not involved in the airport inspections.

In summary, Martin never received the "turn a blind eye" e-mail, and he was never told by management to overlook the requirements of the security directives or emergency amendments as they relate to aircraft searches. Martin has always required the airlines to search [REDACTED]

Martin was asked to provide a sworn statement to which he agreed. Attached to this memorandum of interview is a copy of the sworn statement.

Case Number:  
1080315

Case Title:  
Possible Violation of Security Directive DFW- Regulatory

Revised February 28, 2006

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# SWORN STATEMENT



Transportation  
Security  
Administration

I, James R. MARTIN, having been duly sworn, hereby make the following statement to Stacey Sannier & James Greer, who has been identified to me as a federal law enforcement officer and special agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

\*\*\* SEE ATTACHED STATEMENT \*\*\*

I have read this entire statement consisting of 4 pages. I have been given the opportunity to make any corrections necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have that relates to the matters under investigation or review.

James R. Martin  
Signature 8/27/08

Signed and sworn to before me, this 27 day of August, 2008

Tom D. [Signature]  
Witness 8/27/08

Stacey Sannier  
Special Agent  
Transportation Security Administration 8-27-08  
Department of Homeland Security  
Authority to administer oaths: 5 U.S.C. § 303

James R. Martin  
08/27/08

Statement of Transportation Security Inspector James Martin

JPM

On August 27, 2008 I was interviewed by Special Agents (SA) Stacey Saunier and James Greer from the Office of Inspection, Investigations Division. I was advised that I was being interviewed as a witness in an investigation. SA Saunier advised she was assigned to investigate an allegation that a security vulnerability exists at Dallas-Fort Worth International Airport (DFW) due to the airlines not being required to follow the security directives as they relate to searching [REDACTED] the aircraft. Additionally, there are allegations of potential security vulnerabilities involving the louvered blinds at seven checkpoints in the B concourse at DFW. Specifically, it is alleged that someone on the public side could pass a prohibited item to someone on the sterile side by passing the item through the louvered blinds located above the doors.

Since I have been a Transportation Security Inspector (TSI), I have always required my assigned air carriers to follow the Security Directive (SD) and / or Emergency Amendment (EA) regarding searching [REDACTED]

[REDACTED] At present the provisions of the SD's and EA's have been incorporated in the Aircraft Operators Standard Security Program (AOSSP), or in the case of Foreign Carriers into the Model Security Program (MSP) and I still require my assigned carriers to search [REDACTED]

Since I have been a Transportation Security Inspector (TSI) I have always required my assigned air carriers to follow the Security Directive (SD) and / or Emergency Amendment (EA) regarding searching [REDACTED]

[REDACTED] At present the provisions of the SDs and EAs have been incorporated in the Aircraft Operators Standard Security Program (AOSSP), or in the case of Foreign Carriers into the Model Security Program (MSP) and I still require my assigned carriers to search [REDACTED]

Since I have been a TSI I have always required my assigned air carriers to follow the Security Directive (SD) and / or Emergency Amendment (EA) regarding searching [REDACTED] the aircraft. At present the provisions of the SDs and EAs have been incorporated in the Aircraft Operators Standard Security Program (AOSSP), or in the case of Foreign Carriers into the Model Security Program (MSP) and I still require my assigned carriers to search [REDACTED]

Since I have been a TSI I have always required my assigned air carriers to follow the SD and / or EA regarding searching [REDACTED] the aircraft. At present the provisions of the SDs and EAs have been incorporated in the AOSSP, or in the case of Foreign Carriers into the MSP and I still require my assigned carriers to search [REDACTED]

page 2 of 4 James R. Martin 8/27/08

JRM

At present, all of my assigned air carriers know that [redacted] This is not a problem on some of the newer aircraft that have been designed by the manufacture to have their [redacted] When I was assigned some time ago they were flying the older 737 type aircraft that had their [redacted]

Regarding the "Turn a Blind Eye" phrase as was reported to me. I was not aware that it was part of an e-mail sent by Wes Crow who was our supervisor to Kevin Toth who is a TSI in my group. However, I was aware from hearing office conversations among my fellow TSI's of the following:

Toth was having issues with [redacted] conducting their cabin searches and of the [redacted] I was aware that Toth regarded these as items that had to be searched [redacted] I know from conversations I overheard in the group that Toth made Wes Crow aware that these items needed [redacted] and Toth wanted direction from TSA headquarters but apparently Crow was not referring the matter to TSA Headquarters.

I knew that Toth was calling the Principle Security Inspectors (PSI) for these carriers on his own in an effort to have the matter resolved and this aggravated Crow. I think Toth took it upon himself to call the PSIs out of a sense of concern and he had the best interest of TSA and the flying public in mind when he did this.

I believe one has to understand Wes Crow to then understand why Toth was taking it on his own to call the PSI for the aforementioned air carriers.

Wes Crow in my opinion was not effective as a supervisor. He lacked the basic skill sets needed to do the job. If Wes Crow called TSA headquarters to make them aware of this situation it would have made "work" for him. In my opinion Wes Crow worked under the following philosophy: *Big cases big problems; little cases little problems; no cases no problems.* What was reported to me during this interview does not surprise me, regarding Crow's "turn a blind eye" comment.

Regarding the louvered vents at several checkpoints in B terminal, I was aware from conversation I overheard in the group that Toth determined in his inspection activities that Terminal B's configuration of the checkpoints made it easy for someone to pass items from the public side to the sterile side. This became a problem when some checkpoints in terminal B were closed. I believe he made Wes Crow aware of it and I am sure he made Phil Zagloul, our former AFSD (I) aware of it. I believe that Toth was removed from conducting airport inspections shortly after this and was reassigned to conduct air carrier inspections. I have no direct knowledge of this only from what I overheard from the conversations of others in the group.

I believe the airport has remedied the problem by erecting temporary plywood walls in place of the louvered blinds and has since rebuilt these checkpoints with proper sheet rock walls.

JRM

page 3 of 4

James Mart  
2/27/08

JRM I don't conduct airport inspections so I am only relating to you what I heard third party and from my personal observations.

I had no response to office management regarding this matter because it was a matter between Toth and Wes Crow and to tell the truth I personally tried to limit my contacts with Wes Crow as much as possible. I know from my long experience in government you must make your supervisor aware of your problems, concerns, and findings when conducting any type of inspection activity. However; there was no two way street with Wes Crow. I perceived him as an impediment to doing my job.

I am also heavily involved in Continuity of Operations Plan (COOP) and Emergency Response with Federal Emergency Management Agency (FEMA). I am also currently assigned to FEMA's, Emergency Support Function or Transportation during times of emergencies. In my opinion Wes Crow was jealous of my activities because I received recognition for them. I feel I was doing things he knew he could never do.

Another inspector and I evacuated all the patients in a hospital in Lake Charles, LA on the eve of hurricane Rita when we were deployed to FEMA to cover that event. Most of the patients were elderly and/or premature infants and the two of us received praise from TSA for our efforts. From that time on Wes Crow was anti-COOP and Emergency Response. He felt a TSI should only do his or her job as a TSI and not what we were doing. Crow would go around the office calling me and the other inspector "COOPster" and "freaks" for doing what we did. When I raised the matter to Phil Zagloul about Wes Crow he told me "Wes is Wes...he is just crazy". So much for communications with management. This in my opinion just added to the hostile work environment I perceived that existed here.

In my opinion we have an excellent regulatory group. We have a mixture of good inspectors with diverse backgrounds but we had no leadership; until recently (May 2008). JRM

*James R. M...*  
*05/27/08*

**ATTACHMENT 20**

**Attachment 20**

# SENSITIVE SECURITY INFORMATION



## MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: <input checked="" type="checkbox"/> Personal Interview <input type="checkbox"/> Telephone Interview <input type="checkbox"/> Records Review <input type="checkbox"/> Other	Date and Time: August 27, 2008 10:00 a.m.
Activity or Interview of: Rick P. Strickland Transportation Security Inspector (TSI) Dallas-Fort Worth International Airport (DFW)	Conducted by: Special Agent Stacey L. Saunier Special Agent James Greer
	Location of Interview/Activity: OI/INVD DFW Office Coppell, TX

Subject Matter/Remarks

Special Agent James Greer and I introduced and identified ourselves to Strickland. Strickland was advised he was being interviewed as a witness regarding an allegation involving alleged security issues at DFW. Specifically, Strickland was advised that the allegation involved management at DFW not requiring the airlines to fully self inspect in accordance with the security directives. Additionally, Strickland was advised that there was alleged to be a potential security issue involving the louvered blinds at seven checkpoints in the B concourse. Strickland advised he understood. Strickland provided the following background information:

He started his federal government career with the Transportation Security Administration (TSA) in September 2002. He is active duty military reserves and was deployed from September 2002 through July 2003. He was a TSI at DFW from June 2004 through June 2007. During that period, he was assigned to training and to procurement. In June 2007, he was reassigned from aviation to cargo.

STSI Wes Crow could not stand him so he had little to no interaction with Crow. Crow would not allow him in his office. He believed Crow was either incapable or incompetent. Crow would ask other TSIs to read the new security directives and have them brief him on the changes.

Case Number: 1080315	Case Title: Possible Violation of Security Directive DFW- Regulatory
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Revised February 28, 2006

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**SENSITIVE SECURITY INFORMATION**

**MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)**

Regarding the issue of aircraft searches as they relate [REDACTED] Strickland was asked whether he has always required airlines that were assigned to him to search [REDACTED] Strickland advised as follows:

He currently does not have any passenger airlines assigned to him since he is assigned to cargo. However, before he was reassigned to cargo, he was assigned airlines and he did require the airlines to search [REDACTED] in question.

Strickland advised he had never heard management indicate that he should turn a blind eye to the security directives, and he has never been told to do less than what is required by the security directives. Strickland advised again that Crow never spoke to him so he would not be in a position to hear Crow make such a comment.

Strickland has heard management (Crow) tell TSIs, in a group setting, to only inspect [REDACTED]

Regarding the louvered blinds located at seven checkpoints in Terminal B, Strickland advised he was unaware of the situation and the potential security vulnerability the situation posed. Since he is currently assigned to cargo and has never been assigned to airport inspections, he has no knowledge of the situation.

In summary, Strickland never received the "turn a blind eye" e-mail, and he was never told by management to overlook the requirements of the security directives or emergency amendments as they relate to aircraft searches.

Strickland was asked to provide a sworn statement to which he agreed. Attached to this memorandum of interview is a copy of the sworn statement.

Case Number: I080315	Case Title: Possible Violation of Security Directive DFW- Regulatory
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Revised February 28, 2006

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# SWORN STATEMENT



Transportation  
Security  
Administration

I, RIC PAUL STRICKLAND, having been duly sworn, hereby make the following statement to Stacey Saurier & James Greer, who has been identified to me as a federal law enforcement officer and special agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

\*\*\* SEE ATTACHED STATEMENT \*\*\*

I have read this entire statement consisting of 2 pages. I have been given the opportunity to make any corrections necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have that relates to the matters under investigation or review.

[Signature]  
Signature

28 Aug 2008

Signed and sworn to before me, this 28 day of August, 2008

[Signature]  
Witness 8/28/08

[Signature]  
Special Agent  
Transportation Security Administration 8/28/08  
Department of Homeland Security  
Authority to administer oaths: 5 U.S.C. § 303

[Signature]

28 Aug 2008

Statement of Transportation Security Inspector (Cargo) Rick Strickland

RPB On 27 August 2008 at 1000 CST, I was interviewed by Special Agents (SA) Stacey Saunier and James Greer from the Office of Inspection, Investigations Division. I was advised that I was being interviewed as a witness in an investigation. SA Saunier advised she was assigned to investigate an allegation that an security vulnerability exists at the Dallas Fort Worth International Airport (DFW) due to the airlines not being required to follow the security directives as they relate to searching [REDACTED] the aircraft. Additionally, there are allegations of potential security vulnerabilities involving the louvered blinds at seven checkpoints in the B concourse at DFW. Specifically, it is alleged that someone on the public side could pass a prohibited item to someone on the sterile side by passing the item through the louvered blinds located above the doors.

During the period of time I was assigned to the Aviation branch, I have always required the airlines to follow the security directive or emergency amendment regarding searching [REDACTED]

I am currently assigned as a TSI in the Cargo branch, and have been since June 2007. Therefore, I am primarily responsible to inspect/regulate only the cargo section of the airlines assigned to me. Since I began in Cargo [REDACTED]

I have always required airlines assigned to me to follow the security directives/emergency amendments regarding searching [REDACTED] the aircraft. When conducting inspections, if I saw [REDACTED]

[REDACTED] I required the airline to search [REDACTED] I felt they were compliant with respect to the security directives/emergency amendments. There was much discussion in the office about this issue with my understanding centered on the fact [REDACTED]

As previously stated I am currently assigned to Cargo and the area I am required to inspect [REDACTED]

I do not specifically recall the "turn a blind eye e-mail" regarding the searching [REDACTED] [REDACTED] But, I would not be surprised if it did exist. STSI Wes Crow was known to send e-mails and make statements that would require further explanation. Most of STSI Crows e-mails sent to the regulatory group had to be re-sent because of mistakes or ill defined statements made by STSI Crow.

Regarding the louvered vents or Venetian blinds at Terminal B at DFW Airport I am not aware of the issue because I was assigned to airline inspections and not part of the airport inspections team as assigned by DFW Regulatory Management. Airline Inspectors were forbidden to conduct airport inspections unless specifically instructed by DFW Regulatory Management. RPB



**ATTACHMENT 21**

**Attachment 21**

# SENSITIVE SECURITY INFORMATION



## MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: <input checked="" type="checkbox"/> Personal Interview <input type="checkbox"/> Telephone Interview <input type="checkbox"/> Records Review <input type="checkbox"/> Other	Date and Time: August 27, 2008 1:00 p.m.
Activity or Interview of: Efraim E. Longoria Transportation Security Inspector (TSI) Dallas Love Field (DAL)	Conducted by: Special Agent Stacey L. Saunier Special Agent James Greer
	Location of Interview/Activity: OI/INVD DFW Office Coppell, TX

### Subject Matter/Remarks

Special Agent James Greer and I introduced and identified ourselves to Longoria. Longoria was advised he was being interviewed as a witness regarding an allegation involving alleged security issues at DFW. Specifically, Longoria was advised that the allegation involved management at DFW not requiring the airlines to fully self inspect in accordance with the security directives. Additionally, Longoria was advised that there was alleged to be a potential security issue involving the louvered blinds at seven checkpoints in the B concourse. Longoria advised he understood. Longoria provided the following background information:

He started his federal government career with the Transportation Security Administration (TSA) in October 2002 as a screening manager in McAllen, Texas. He was reassigned to DFW as a TSI in May 2004 where he remained until January 2007 when he transferred to Dallas-Love Field (DAL). He left DFW due to poor management within the Inspections division.

Regarding the issue of aircraft searches as they relate [REDACTED] Longoria was asked whether he has always required airlines that were assigned to him to search [REDACTED] Longoria advised as follows:

Case Number: 1080315	Case Title: Possible Violation of Security Directive DFW- Regulatory
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Revised February 28, 2006

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**SENSITIVE SECURITY INFORMATION**

**MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)**

He currently does require his assigned airlines to search [REDACTED]

[REDACTED] He is currently assigned to cargo at DAL. [REDACTED] and he does require the airline to search [REDACTED]

However, prior to being reassigned to cargo at DAL, he did not require the airlines to search [REDACTED]. He did this because he felt that if he continued to bring issues to management's (DFW) attention his job would be in jeopardy. He recalled an instance when he was telling AFSD-I Phil Zaglool about issues with the airlines not searching [REDACTED]. Zaglool got frustrated and told him it was not a big deal and not to worry about it.

[REDACTED] Prior to transferring to cargo, he did have assigned airlines and [REDACTED] were an issue. Prior to having TSI Kevin Toth as his mentor, he was unaware that the [REDACTED]. Once he became aware of the requirement, he always required the airlines to search [REDACTED]

Longoria was asked whether he had ever been told to overlook the airlines' failure to search [REDACTED]. Longoria provided the following information:

Regarding the [REDACTED] Phil Zaglool told him he was tired of seeing [REDACTED] issues every time he looked at the Performance And Results Information System (PARIS). Regarding this, Zaglool stated, "let's not look at these for a while." Based on this statement by Zaglool, he did stop looking [REDACTED] for a while. As previously stated, he was in fear of losing his job if he continued to post findings in PARIS. However, shortly after he stopped looking [REDACTED] he began looking at everything he was required to look at and he decided not to tell Crow and Zaglool about any findings. He would just enter the findings in PARIS.

Longoria advised he had never seen nor read the "turn a blind eye" e-mail, but he had heard that it existed from TSI Kevin Toth prior to being reassigned to DAL.

Regarding the louvered blinds located at seven checkpoints in Terminal B, Longoria advised he was aware of the situation and that he had reported the problem directly to Wes Crow, who at the time was his mentor. This was before Crow was promoted to STSI. Longoria demonstrated the potential for someone to introduce an item into the sterile side of the checkpoint by throwing his pen up and through the louvered blinds to the sterile side. Crow's response was that the louvers had always been there and that the airport knew about the issue and the airport was not going to do anything.

Longoria was asked to provide a sworn statement to which he agreed. Attached to this memorandum of interview is a copy of the sworn statement.

Case Number:  
I080315

Case Title:  
Possible Violation of Security Directive DFW- Regulatory

Revised February 28, 2006

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# SWORN STATEMENT



Transportation  
Security  
Administration

I, Efraim E. Loggoria, having been duly sworn, hereby make the following statement to Stacey Saunier & James Greer, who has been identified to me as a federal law enforcement officer and special agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

\*\*\* SEE ATTACHED STATEMENT \*\*\*

I have read this entire statement consisting of 2 pages. I have been given the opportunity to make any corrections necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have that relates to the matters under investigation or review.

Efraim E. Loggoria Aug 28, 2008  
Signature

Signed and sworn to before me, this 28 day of August, 2008.

James D. Greer  
Witness 8/28/08

Stacey Saunier  
Special Agent  
Transportation Security Administration  
Department of Homeland Security  
Authority to administer oaths: 5 U.S.C. § 303  
8/28/08

Efraim E. Loggoria Aug. 28, 2008

Statement of Transportation Security Inspector Efraim Longoria

EEJ On August 27, 2008, I was interviewed by Special Agents (SA) Stacey Saunier and James Greer from the Office of Inspection, Investigations Division. I was advised that I was being interviewed as a witness in an investigation. SA Saunier advised she was assigned to investigate an allegation that a security vulnerability exists at Dallas-Fort Worth International Airport (DFW) due to the airlines not being required to follow the security directives as they relate to searching [REDACTED] aircraft. Additionally, there are allegations of potential security vulnerabilities involving the louvered blinds at seven checkpoints in the B concourse at DFW. Specifically, it is alleged that someone on the public side could pass a prohibited item to someone on the sterile side by passing the item through the louvered blinds located above the doors.

I was employed as a Transportation Security Inspector (TSI) Aviation at DFW from May 2004 through January 2007, when I transferred to a position as a TSI Cargo at Dallas Love Field (DAL). While I was working at DFW I always required the airlines assigned to me to follow the security directive and/or emergency amendment regarding searching [REDACTED]. Since I have been working as a TSI Cargo at DAL, I always require the airlines assigned to me to follow the security directive and/or emergency amendment regarding searching [REDACTED].

[REDACTED] I would say that there was a period of time (when I first started) when I was not aware of the requirement, and therefore I did not look at this issue when conducting my inspections. When I first started Wes Crow was assigned as my mentor. Crow had not yet been promoted to the supervisor position in Regulatory. Once TSI Kevin Toth was assigned as my mentor, Toth made me aware of the requirement to search [REDACTED] and from that point onward, I required the airlines to search [REDACTED]. If I discovered an [REDACTED]

[REDACTED] There came a point when I was instructed by AFSD-I Phil Zaglool to stop inspecting the [REDACTED] because Zaglool stated that he was tired of seeing violations opened in PARIS regarding this issue [REDACTED]. TSI Kevin Toth told me about an e-mail (allegedly written by STSI Wes Crow) in which Crow told Toth (in the e-mail) to "turn a blind eye" to searching [REDACTED]. I did not see the e-mail.

While I worked at DFW I was aware of the security vulnerability as a result of the louvered blinds at the seven checkpoints in Terminal B. I reported the violation to, at the time my mentor, TSI Wes Crow. I demonstrated to TSI Wes Crow the vulnerability by throwing a pen from the non-sterile side of the terminal to the sterile side of the terminal through the louvered blinds. TSI Wes Crow stated to me that the FAA/TSA and the airport had been addressing the issue of the vulnerability for years and that we could not do anything about it. I was told by TSI Wes Crow to leave the issue alone. I was made aware of the issue once again when TSI Kevin Toth addressed the issue with TSA management at DFW. As of this date, I am unaware if the issue has been fixed because I am assigned to DAL, and I am not at DFW. EEJ

page 2 of 2

Efraim Longoria Aug. 28, 2008

**ATTACHMENT 22**

**Attachment 22**

# SENSITIVE SECURITY INFORMATION



## MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity:

- Personal Interview  
 Telephone Interview  
 Records Review  
 Other

Date and Time:

August 28, 2008  
1:08 p.m.

Activity or Interview of:

Donald L. Werkstell  
Supervisory Transportation Security Inspector  
(STSI) - Cargo  
Dallas-Fort Worth International Airport (DFW)

Conducted by:

Special Agent Stacey L. Saunier  
Special Agent James Greer

Location of Interview/Activity:

OI/INVD  
DFW Office  
Coppell, TX

Subject Matter/Remarks

At the suggestion of Assistant Federal Security Director for Inspections (AFSD-I) Michael McMullen, STSI Werkstell was interviewed. AFSD-I McMullen indicated that although Werkstell was not a TSI in the Aviation branch during the timeframe in question, Werkstell shared an office with Wes Crow and thus he could have been privy to some of the alleged conversations.

Special Agent James Greer and I introduced and identified ourselves to Werkstell. Werkstell was advised he was being interviewed as a witness regarding an allegation involving alleged security issues at DFW. Werkstell was advised that this office was aware that he was not assigned to the aviation side of the regulatory function, but that since he was assigned to DFW and since he shared an office with STSI Wes Crow, he was being interviewed to determine whether he had any information that could assist in the investigation. Werkstell advised he understood.

Werkstell was then advised that the allegation involved management at DFW not requiring the airlines to fully self inspect in accordance with the security directives. Additionally, Werkstell was advised that there was alleged to be a potential security issue involving the louvered blinds at seven checkpoints in the B concourse.

Case Number:  
1080315

Case Title:  
Possible Violation of Security Directive DFW- Regulatory

Revised February 28, 2006

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# SENSITIVE SECURITY INFORMATION

## MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

Werkstell stated that he was not sure he could be of any assistance. Werkstell has been on the cargo side of the office since September 2004. He shared an office with Crow from December 2007 through May 2008; when Crow left.

Regarding aircraft searches, Werkstell advised he had no information to provide. He never overheard Crow tell anyone not to conduct their inspections in accordance with the security directives.

Werkstell was advised of the "turn a blind eye" e-mail authored by Crow, to which Werkstell stated the following:

Crow never made a decision without running it through AFSD-I Phil Zagloul. It used to drive Zagloul crazy how often Crow would call him for advice. He does not believe Crow sent the "turn a blind eye" e-mail on his own without asking Zagloul for advice.

He is surprised to hear the content of the e-mail.

Due to Werkstell's lack of knowledge regarding the allegations, Werkstell was not asked to provide a sworn statement.

Case Number: I080315	Case Title: Possible Violation of Security Directive DFW- Regulatory
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Revised February 28, 2006

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**ATTACHMENT 23**

**Attachment 23**

# SENSITIVE SECURITY INFORMATION



## MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: <input type="checkbox"/> Personal Interview <input type="checkbox"/> Telephone Interview <input checked="" type="checkbox"/> Records Review <input type="checkbox"/> Other	Date and Time: September 22, 2008
Activity or Interview of: Retirement of: Philip Zagloul Assistant Federal Security Director for Inspections (AFSD-I) Dallas-Fort Worth International Airport (DFW)	Conducted by: Special Agent Stacey L. Saunier
	Location of Interview/Activity: OI/IID Arlington, VA

### Subject Matter/Remarks

Pursuant to my request for the paperwork to support the retirement of AFSD-I Philip Zagloul, Deputy Special Agent in Charge (DSAIC) Matthew Albence, Dallas Field Office, Office of Inspection, Inspections and Investigations Division, forwarded the Notification of Personnel Action (SF50). A review of the SF50 revealed Zagloul retired from the TSA with an effective date of July 1, 2008.

Attached to this memorandum of activity is a copy of the e-mail from DSAIC Albence along with the SF50.

Case Number: 1080315	Case Title: Possible Violation of Security Directive DFW- Regulatory
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Revised February 28, 2006

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## Saunier, Stacey

---

**From:** Albence, Matthew  
**Sent:** Monday, September 22, 2008 2:28 PM  
**To:** Saunier, Stacey  
**Subject:** FW: Zaglool retirement  
**Attachments:** Zaglool.pdf

att  
) (469) 948-1081  
) (214) 918-9940

---

**From:** Sanchez, Martha  
**Sent:** Monday, September 22, 2008 10:52 AM  
**To:** Albence, Matthew  
**Subject:** Zaglool retirement

on behalf of Michael Donnelly – DFW

ere is the SF-50 for Phil Zaglool's retirement.

anks,

*Martha Sanchez*  
*Administrative Officer - Acting*  
*Human Resources*  
*Dallas/Ft. Worth International Airport - DFW*  
*0 Airline Drive, Suite 110*  
*ppell, TX 75019*  
*Office: (469) 948-1882*  
*ell: (214) 298-4972*  
*x: (972) 745-4369*

**NOTIFICATION OF PERSONNEL ACTION**

1. Name (Last, First, Middle) <b>ZAGLOOL, PHILIP M</b>	2. Social Security Number [REDACTED]	3. Date of Birth [REDACTED]	4. Effective Date <b>07/01/08</b>
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<b>FIRST ACTION</b>		<b>SECOND ACTION</b>	
5-A. Code <b>303</b>	5-B. Nature of Action <b>RETIREMENT-SPECIAL OPTION</b>	6-A. Code	6-B. Nature of Action
5-C. Code <b>V3P</b>	5-D. Legal Authority <b>5 U.S.C. 8336(D)(2)</b>	6-C. Code	6-D. Legal Authority
5-E. Code <b>AZM</b>	5-F. Legal Authority <b>2007 002 8/16/2006</b>	6-E. Code	6-F. Legal Authority

7. FROM: Position Title and Number <b>ASSISTANT FEDERAL SECURITY DIRECTOR 90094055 011702</b>	15. TO: Position Title and Number
--	-----------------------------------

8. Pay Plan <b>SV</b>	9. Occ. Code <b>1801</b>	10. Grade/Level <b>11</b>	11. Step/Rate <b>00</b>	12. Total Salary <b>146,747.00</b>	13. Pay Basis <b>PA</b>	16. Pay Plan	17. Occ. Code	18. Grade/Level	19. Step/Rate	20. Total Salary/Award	21. Pay Basis
12A. Basic Pay <b>123,587.00</b>	12B. Locality Adj. <b>23,160.00</b>	12C. Adj. Basic Pay <b>146,747.00</b>	12D. Other Pay <b>.00</b>	20A. Basic Pay	20B. Locality Adj. <b>.00</b>	20C. Adj. Basic Pay	20D. Other Pay <b>.00</b>				

14. Name and Location of Position's Organization <b>TRANSPORTATION SECURITY ADMINISTRATION Security Operations CENTRAL AREA DFW - Dallas/Fort Worth Intern</b>	22. Name and Location of Position's Organization  <b>HS TA5905204200000008 PP 14 2008</b>
---	---

**EMPLOYEE DATA**

23. Veterans Preference <input type="checkbox"/> 1 - None <input type="checkbox"/> 2 - 5-Point <input type="checkbox"/> 3 - 10-Point/Disability <input type="checkbox"/> 4 - 10-Point/Companionship	24. Tenure <input type="checkbox"/> 1 - New <input type="checkbox"/> 2 - Continued <input type="checkbox"/> 3 - Indefinite	25. Agency Use	26. Veterans Preference for RIF <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
---	---	----------------	--

27. FEGLI <b>R1</b>	28. Annuity Indicator <b>9 NOT APPLICABLE</b>	29. Pay Rate Determinant <b>0</b>
------------------------	--	--------------------------------------

30. Retirement Plan <input type="checkbox"/>	31. Service Comp. Date (Leave) <b>12/17/78</b>	32. Work Schedule <b>F FULL TIME</b>	33. Part-Time Hours Per Biweekly Pay Period
---	---	---	---

**POSITION DATA**

34. Position Occupied <b>2</b> 1 - Competitive Service 2 - Excepted Service 3 - SES General 4 - SES Career Reserved	35. FLSA Category <b>E</b> E - Exempt N - Nonexempt	36. Appropriation Code	37. Bargaining Unit Status <b>8888</b>
--	--	------------------------	---

38. Duty Station Code <b>48-2450-439</b>	39. Duty Station (City - County - State or Overseas Location) <b>FORT WORTH TARRANT TX</b>
---	---

40. Agency Data	41.	42.	43.	44.
-----------------	-----	-----	-----	-----

45. Remarks  
[REDACTED]

**FORWARDING ADDRESS-**  
[REDACTED]  
**LUMP-SUM PAYMENT TO BE MADE FOR ANY UNUSED ANNUAL LEAVE.  
REASON FOR RETIREMENT: TO OBTAIN RETIREMENT BENEFITS**

46. Employing Department or Agency <b>HOMELAND SECURITY</b>			48. Signature/Authentication and Title of Approving Official <b>SANDRA J. SHERMAN PROGRAM MANAGER</b>	
47. Agency Code <b>HS BC</b>	48. Personnel Office ID <b>1598</b>	49. Approval Date <b>06/24/08</b>		

**ATTACHMENT 24**

**Attachment 24**



Transportation  
Security  
Administration

## Interoffice Memorandum

To: Lee Kair  
Assistant Administrator  
Office of Security Operations (OSO)

From: K. David Holmes, Jr.  
Assistant Administrator  
Office of Inspection (OI)

Date: OCT 23 2008

Re: Whistleblower Disclosure, Office of Special Counsel (OSC) File No. DI-08-1905

On July 18, 2008, the Office of Inspection received a Whistleblower Disclosure allegation highlighting potential security vulnerabilities due to a lack of consistency regarding air carrier self inspections and aircraft searches. On July 24, 2008, Deputy Director Chris Santoro, OI, briefed Deputy Assistant Administrator Ray White, OSO, along with General Manager Mel Carraway and the three area directors (Mark Haught, Gerald Chapman, Jack Shea) on the issues contained in the OSC referral. Additionally, General Manager Brent Pope, Compliance, was made aware of the issues on July 23, 2008. Pope was invited to the above meeting but was unable to attend.

Senior Area Inspector Alan Paterno, Compliance, who has a copy of the incoming complaint, was assigned to assist our office as a subject matter expert regarding the issues in the complaint. Paterno was involved in the interview of the whistleblower complainant and to my knowledge has prepared a report to his supervisor regarding the issues impacting Compliance.

This memorandum is to advise you of the requirements of 5 U.S.C. § 1213(d), which my office is bound to follow in preparing the response to the OSC. One section of this statute applies to your functional area; specifically, section (5)(A) states as follows:

- (5) A description of any action taken or planned as a result of the investigation, such as:  
(A) changes in agency rules, regulations or practices.

Please provide my office with your response by close of business October 31, 2008. If you need additional information regarding the investigation to assist in your response, please contact Special Agent Stacey Saunier at 571-227-1727.

**ATTACHMENT 25**

**Attachment 25**



Transportation  
Security  
Administration

## Interoffice Memorandum

To: John Sammon  
Assistant Administrator  
Transportation Sector Network Management (TSNM)

From: K. David Holmes, Jr.  
Assistant Administrator  
Office of Inspection (OI)

Date: OCT 23 2008

Re: Whistleblower Disclosure, Office of Special Counsel (OSC) File No. DI-08-1905

On July 18, 2008, the Office of Inspection received a Whistleblower Disclosure allegation highlighting potential security vulnerabilities due to a lack of consistency regarding air carrier self inspections and aircraft searches. On July 24, 2008, Deputy Director Chris Santoro, OI, briefed Deputy Assistant Administrator Ray White, OSO, along with General Manager Mel Carraway and the three area directors (Mark Haught, Gerald Chapman, Jack Shea) on the issues contained in the OSC referral.

Additionally, Branch Chief Steven Jenkins, Principal Security Inspector (PSI) Manager, Commercial Airlines, TSNM, was made aware of the issues on July 22, 2008. Jenkins organized a meeting with PSI Robert Glover on July 23, 2008. During this meeting it was discovered that at least one airline had a search plan that had not been updated since 2003. The discussion centered on the issue that a 2003 search plan would not address the 2004 change in the security directive, which required the airlines to search air ducts/vents as part of their self inspection.

This memorandum is to advise you of the requirements of 5 U.S.C. § 1213(d), which my office is bound to follow in preparing the response to the OSC. One section of this statute applies to your functional area; specifically, section (5)(A) states as follows:

- (5) A description of any action taken or planned as a result of the investigation, such as:  
(A) changes in agency rules, regulations or practices.

Please provide my office with your response by close of business October 31, 2008. If you need additional information regarding the investigation to assist in your response, please contact Special Agent Stacey Saunier at 571-227-1727.

**ATTACHMENT 26**

**Attachment 26**

# SENSITIVE SECURITY INFORMATION



## MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: <input type="checkbox"/> Personal Interview <input type="checkbox"/> Telephone Interview <input checked="" type="checkbox"/> Records Review <input type="checkbox"/> Other	Date and Time: October 24, 2008
Activity or Interview of: Retirement of: Wesley Crow Supervisory Transportation Security Inspector (STSI) Dallas-Fort Worth International Airport (DFW)	Conducted by: Special Agent Stacey L. Saunier
	Location of Interview/Activity: OI/IIID Arlington, VA

### Subject Matter/Remarks

Pursuant to a second request for the paperwork to support the retirement of STSI Crow, on this date the Notification of Personnel Action (SF50) was received from Martha Sanchez, Human Resources, DFW. A review of the SF50 revealed Crow retired from the TSA with an effective date of August 29, 2008.

Attached to this memorandum of activity are copies of the following:

- E-mail received September 19, 2008, from Assistant Federal Security for Operations (AFSD-OPs) Michael Donnelly, advising that STSI Crow had applied for retirement
- E-mail from me to Donnelly requesting the official paperwork to support the retirement request.
- E-mail received September 22, 2008, from Deputy Special Agent in Charge Matthew Albence, DFW, forwarding information obtained from TSA HR Services, advising that Crow requested his retirement be effective August 29, 2008.
- E-mail from Martha Sanchez, Human Resources, DFW, dated October 24, 2008, with attached SF50.

Case Number: 1080315	Case Title: Possible Violation of Security Directive DFW- Regulatory
-------------------------	---

Revised February 28, 2006

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**Saunier, Stacey**

---

**From:** Donnelly, Michael <AFSD>  
**Sent:** Friday, September 19, 2008 10:51 AM  
**To:** Sanchez, Martha  
**Cc:** Saunier, Stacey; Albence, Matthew  
**Subject:** FW: Crow Retirement

Martha,

Can you please request the document from HQ showing Zaglool and Crow retired and email to Matt Albence. Thx

Michael S. Donnelly  
Assistant Federal Security Director  
Department of Homeland Security  
Transportation Security Agency  
Dallas/Fort Worth International Airport  
469.948.1823 (office)

-----Original Message-----

**From:** Saunier, Stacey  
**Sent:** Friday, September 19, 2008 9:37 AM  
**To:** Donnelly, Michael <AFSD>  
**Cc:** Albence, Matthew  
**Subject:** Re: Crow Retirement

Thanks Mike,

That is good news. I will need the final paperwork on Crow's and Zaglool's retirement/resignation. I will ask Matt to pick those up and send them to me.

Hope all is well.

Stacey  
Stacey Saunier  
Specail Agent-TSA  
202-841-5068

----- Original Message -----

**From:** Donnelly, Michael <AFSD>  
**To:** Saunier, Stacey  
**Cc:** Albence, Matthew

Sent: Fri Sep 19 10:16:26 2008  
Subject: FW: Crow Retirement

Stacey,

I meant to send this to you earlier in the week. Please let me know if you have any questions.

Michael S. Donnelly

Assistant Federal Security Director

Department of Homeland Security

Transportation Security Agency

Dallas/Fort Worth International Airport

469.948.1823 (office)

---

From: Sanchez, Martha

Sent: Monday, September 15, 2008 8:17 AM

To: McDevitt, Diane M. <TSA OCC>

Cc: Donnelly, Michael <AFSD>; Holmstrup, Mark; McMullen, Michael <AFSD>

Subject: Crow

Diane,

I just confirmed with TSA HR Services that Wes applied for retirement effective 08/29/08.

Thanks,

Martha Sanchez

Administrative Officer - Acting

Human Resources

Dallas/Ft. Worth International Airport - DFW

510 Airline Drive, Suite 110

Coppell, TX 75019

Office: (469) 948-1882

Cell: (214) 298-4972

Fax: (972) 745-4369

Saunier, Stacey

---

**From:** Albence, Matthew  
**Sent:** Monday, September 22, 2008 11:46 AM  
**To:** Saunier, Stacey  
**Subject:** FW: Crow retirement

tt  
(469) 948-1081  
(214) 918-9940

---

**From:** Sanchez, Martha  
**Sent:** Monday, September 22, 2008 10:44 AM  
**To:** Albence, Matthew  
Donnelly, Michael <AFSD>  
**Subject:** Crow retirement

behalf of Michael Donnelly - DFW

This is the only information I could get on Wesley Crow's retirement. Although it has not been processed they will make it effective as of the date that Mr. Crow requested. See message below from specialist assigned to his case.

Thanks,

Martha Sanchez  
Administrative Officer - Acting  
Human Resources  
Dallas/Ft. Worth International Airport - DFW  
2000 Airline Drive, Suite 110  
Ft. Worth, TX 75019  
Office: (469) 948-1882  
Home: (214) 298-4972  
Fax: (972) 745-4369

---

**From:** raquel.walter@accenture.com [mailto:raquel.walter@accenture.com]  
**Sent:** Monday, September 15, 2008 7:52 AM  
**To:** Sanchez, Martha  
**Subject:** RE: Can you help me

Martha ~

9/29/2008 was his retirement date on his application.

Raquel Torres Walter  
Benefits Specialist  
HR Services  
1951 Freedom Drive Suite 900  
Ft. Worth, VA 20190  
Phone: (703) 947-1489  
Fax: (703) 947-7872  
Toll Free: (866) 274-6438  
Email: [Raquel.Walter@accenture.com](mailto:Raquel.Walter@accenture.com)  
M: RAQWAL555

---

**Saunier, Stacey**

---

**From:** Sanchez, Martha  
**Sent:** Friday, October 24, 2008 3:26 PM  
**To:** Saunier, Stacey  
**Subject:** SF 50  
**Attachments:** SF 50 Crow.pdf

for your request.

Martha Sanchez  
Human Resources  
Model Workplace Coordinator  
Dallas/Ft. Worth International Airport - DFW  
7000 Airline Drive, Suite 110  
Ft. Worth, TX 75019  
Office: (469) 948-1882  
Cell: (214) 298-4972  
Fax: (972) 745-4369

## NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) <b>CROW, WESLEY W</b>	2. Social Security Number [REDACTED]	3. Date of Birth [REDACTED]	4. Effective Date <b>08/29/08</b>
--	---	--------------------------------	--------------------------------------

FIRST ACTION		SECOND ACTION	
5-A. Code <b>302</b>	5-B. Nature of Action <b>RETIREMENT VOLUNTARY</b>	6-A. Code	6-B. Nature of Action
5-C. Code <b>SQM</b>	5-D. Legal Authority <b>5 U.S.C. 8336</b>	6-C. Code	6-D. Legal Authority
5-E. Code	5-F. Legal Authority	6-E. Code	6-F. Legal Authority

7. FROM: Position Title and Number <b>SUPVY TRANSP SECUR INSPR (AVIATION) 90212828 020943</b>	15. TO: Position Title and Number
--	-----------------------------------

8. Pay Plan <b>SV</b>	9. Occ. Code <b>1801</b>	10. Grade/Level <b>10</b>	11. Step/Rate <b>00</b>	12. Total Salary <b>119,094.00</b>	13. Pay Basis <b>PA</b>	14. Pay Plan	17. Occ. Code	18. Grade/Level	19. Step/Rate	20. Total Salary/Award	21. Pay Basis
12A. Basic Pay <b>100,298.00</b>	12B. Locality Adj. <b>18,796.00</b>	12C. Adj. Basic Pay <b>119,094.00</b>	12D. Other Pay <b>.00</b>	20A. Basic Pay	20B. Locality Adj. <b>.00</b>	20C. Adj. Basic Pay	20D. Other Pay <b>.00</b>				

14. Name and Location of Position's Organization <b>TRANSPORTATION SECURITY ADMINISTRATION Security Operations CENTRAL AREA DFW - Dallas/Fort Worth Intern</b>	22. Name and Location of Position's Organization  <b>HS TA5905204200000000 PP 20 2008</b>
---	---

**EMPLOYEE DATA**

23. Veterans Preference		24. Tenure		25. Agency Use	26. Veterans Preference for RIF
<input type="checkbox"/> 1 - None	<input type="checkbox"/> 3 - 10-Point/Disability	<input type="checkbox"/> 5 - 10-Point/Other	<input type="checkbox"/> 6 - New	<input type="checkbox"/>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> 2 - 5-Point	<input type="checkbox"/> 4 - 10-Point/Compassion	<input type="checkbox"/> 6 - 10-Point/Compassion/20%	<input type="checkbox"/> 1 - Permanent	<input type="checkbox"/> 2 - Conditional	

27. PEGLI <b>D0</b>	28. Annuitant Indicator <b>9 NOT APPLICABLE</b>	29. Pay Rate Determinant <b>0</b>
------------------------	--	--------------------------------------

30. Retirement Plan [REDACTED]	31. Service Comp. Date (Leave) <b>12/14/77</b>	32. Work Schedule <b>F FULL TIME</b>	33. Part-Time Hours Per Biweekly Pay Period
-----------------------------------	---	---	---

**POSITION DATA**

34. Position Occupied	35. FLSA Category	36. Appropriation Code	37. Bargaining Unit Status
<input type="checkbox"/> 1 - Competitive Service	<input type="checkbox"/> E - Except		<b>8888</b>
<input type="checkbox"/> 2 - Excepted Service	<input type="checkbox"/> N - Nonexempt		
<input type="checkbox"/> 3 - SES General			
<input type="checkbox"/> 4 - SES Career Reserved			

38. Duty Station Code <b>48-2450-439</b>	39. Duty Station (City - County - State or Overseas Location) <b>FORT WORTH TARRANT TX</b>
---	---

40. Agency Data	41.	42.	43.	44.
-----------------	-----	-----	-----	-----

45. Remarks  
[REDACTED]

FORWARDING ADDRESS—  
[REDACTED]

LUMP-SUM PAYMENT TO BE MADE FOR ANY UNUSED ANNUAL LEAVE.  
REASON FOR RETIREMENT: TO OBTAIN RETIREMENT BENEFITS

46. Employing Department or Agency <b>HOMELAND SECURITY</b>			50. Signature/Authentication and Title of Approving Official <b>SANDRA J. SHERMAN PROGRAM MANAGER</b>		
47. Agency Code <b>HS BC</b>	48. Personnel Office ID <b>1598</b>	49. Approval Date <b>10/13/08</b>			

**ATTACHMENT 27**

**Attachment 27**

# SENSITIVE SECURITY INFORMATION



## MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity:

- Personal Interview  
 Telephone Interview  
 Records Review  
 Other

Date and Time:

October 29, 2008  
3:14 p.m.

Activity or Interview of:

Gregory Gayden  
Transportation Security Inspector (TSI)  
Dallas-Fort Worth International Airport (DFW)

Conducted by:

Special Agent Stacey L. Saunier

Location of Interview/Activity:

OI/ID  
Arlington, VA

Subject Matter/Remarks

On this date TSI Gregory Gayden was contacted for the purpose of interviewing him regarding the issues reported to the U.S. Office of Special Counsel (OSC). TSI Gayden was not available to be interviewed during the August 2008 visit as he was in Denver assisting with the Democratic National Convention.

I introduced and identified myself to Gayden and advised I needed to interview him regarding the security vulnerabilities reported to the OSC as a result of an e-mail that DFW Inspections management sent to a TSI at DFW. I also explained that I needed to ask Gayden some questions regarding the security vulnerability created by the louvered blinds that were located at seven checkpoints in the B terminal at DFW.

Gayden advised that he had just taken pictures of the seven checkpoints as a follow-up to his inspection of the airport. Gayden explained that he would send me the photographs showing that five of the checkpoints have had fixed walls erected; one check point has doors and a fixed wall; and one checkpoint is being used 16 hours a day and a guard is posted at the checkpoint during the other eight hours.

Gayden advised he would forward the pictures to me. Attached to this memorandum of interview is the e-mail with the seven pictures.

Case Number:

1080315

Case Title:

Possible Violation of Security Directive DFW- Regulatory

Revised February 28, 2006

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Saunier, Stacey

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From: Gayden, Gregory

Sent: Wednesday, October 29, 2008 3:27 PM

To: Saunier, Stacey

Subject: DFW Terminal B Louvers

Attachments: B19 October 29, 2008.jpg; B23 October 29, 2008.jpg; B27 October 29, 2008.jpg; B25 October 29, 2008.jpg; B30 October 29, 2008.jpg; B35 October 29, 2008.jpg; B17 October 29, 2008.jpg

These are the photos I took this morning. The louvers at 17, 19, 23, 25 and I think also 27 were only about 6 feet off the ground. In fact, I am tall enough that I passed items through two of these and could have done the same at others. The louvers have been replaced by solid walls at all checkpoints except for B19. This is operated by TSA for 16 hours a day, the other 8, DFW keeps a guard there, during the night.

is an abandoned checkpoint, and was a few feet higher off the ground.

is a current checkpoint and it is a mess, they put a roll down gate there, got the wrong kind and then added these awkward doors. But, its secured.

is across from a BBQ restaurant, and is just an empty area.

is an abandoned checkpoint.

is an abandoned checkpoint.

is an active checkpoint with louvers intact.

is an abandoned checkpoint, now a seating area for Subway sandwiches.

Hope this helps.

Greg Gayden

Transportation Security Inspector (Aviation)

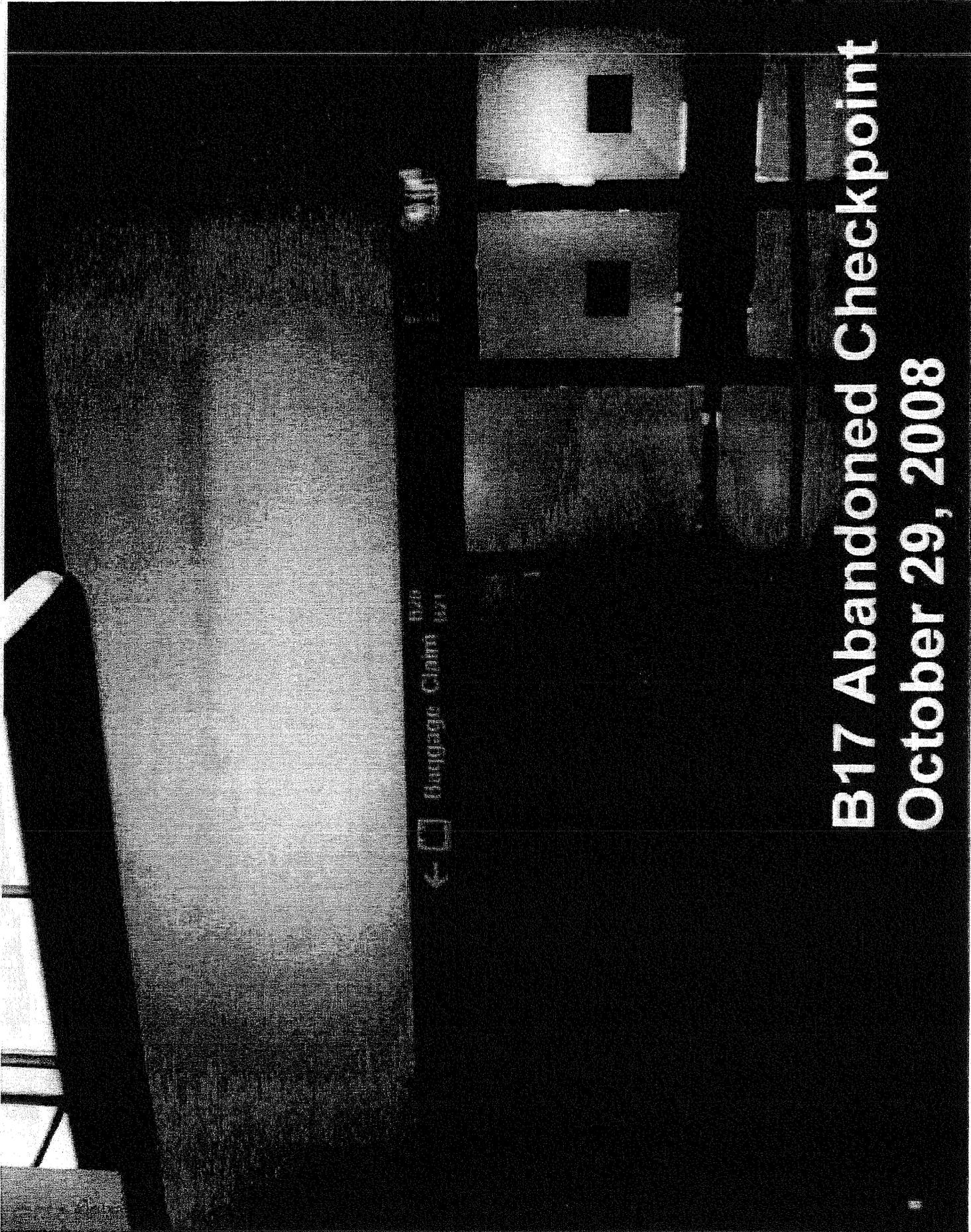
Department of Homeland Security

Dallas Ft. Worth International Airport

Office 469.948.1877

Mobile 972.467.9175

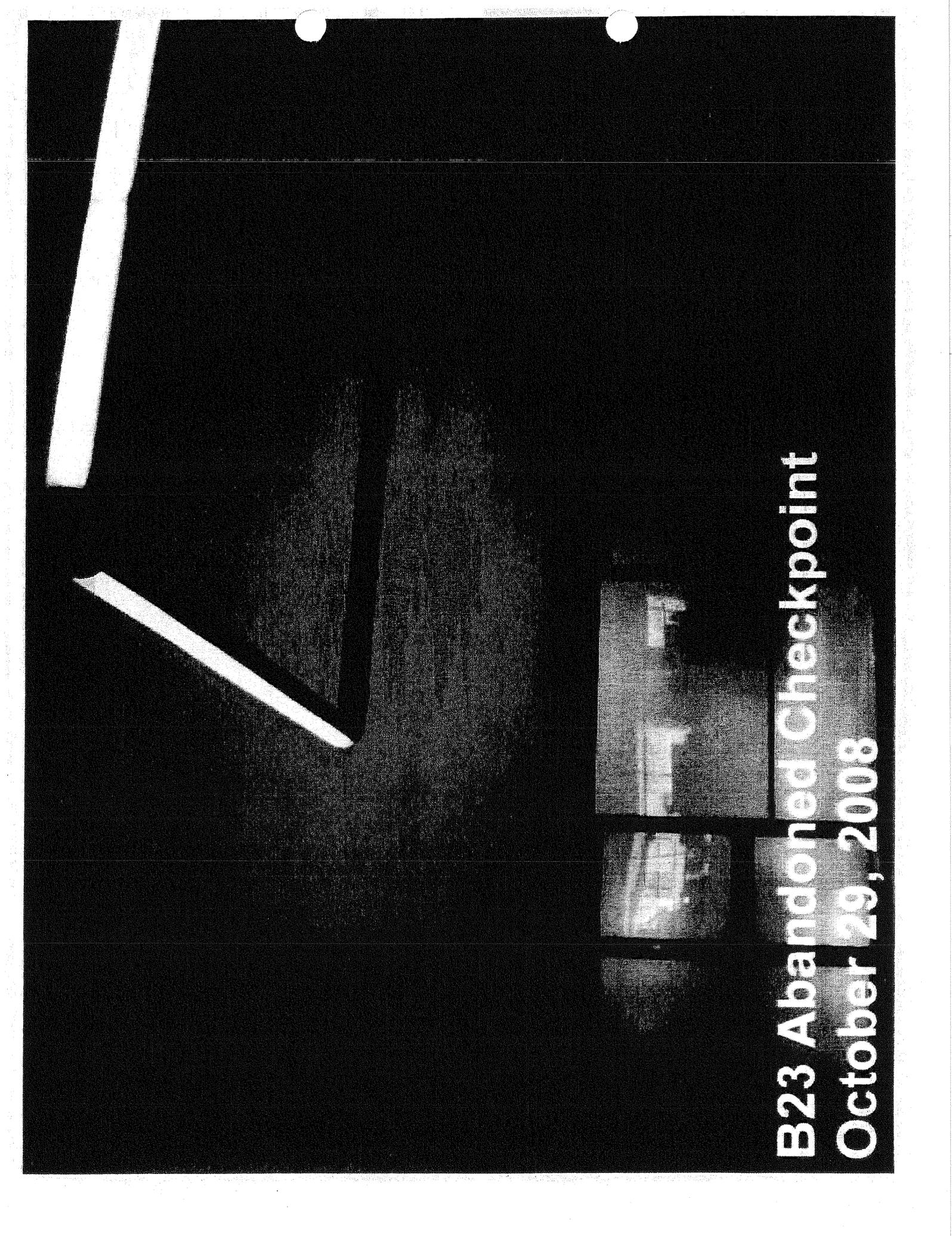
[gregory.gayden@dhs.gov](mailto:gregory.gayden@dhs.gov)



# B17 Abandoned Checkpoint October 29, 2008



**B19 Checkpoint, October 29, 2008**



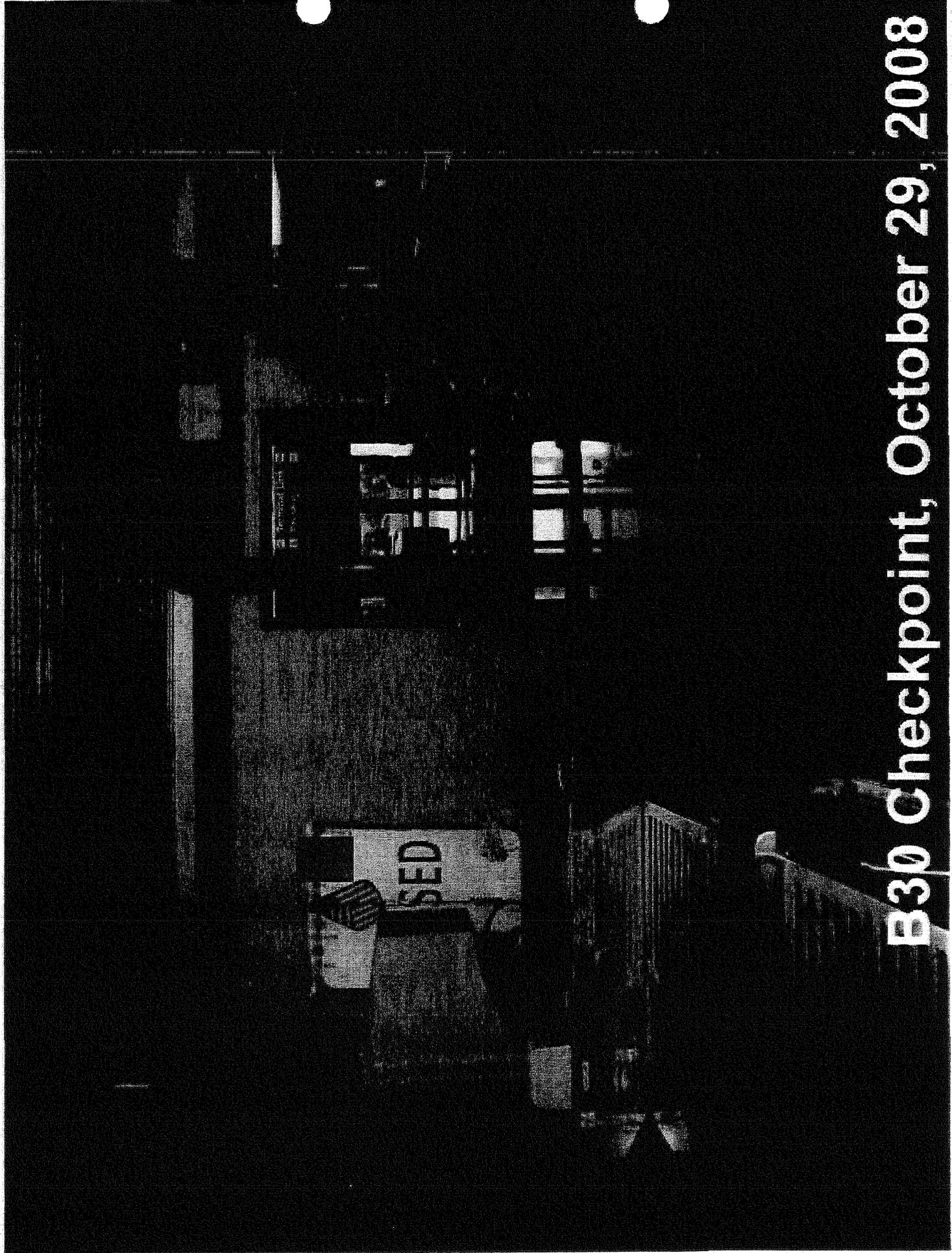
**B23 Abandoned Checkpoint  
October 29, 2008**



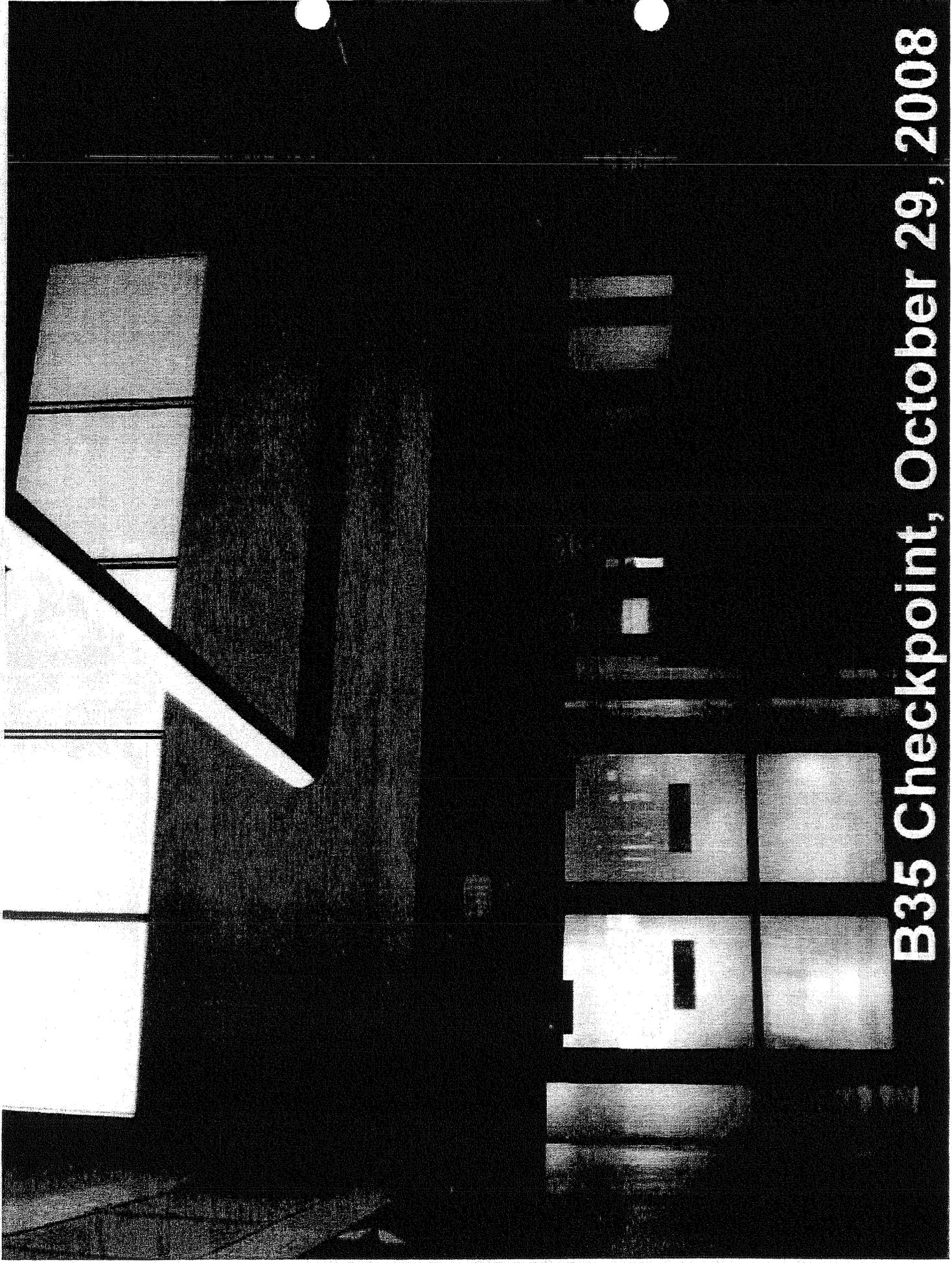
**B25 Checkpoint, October 29, 2008**

**B27 Abandoned Checkpoint  
October 29, 2008**





B30 Checkpoint, October 29, 2008



**B335 Checkpoint, October 29, 2008**

**ATTACHMENT 28**

**Attachment 28**

# SENSITIVE SECURITY INFORMATION



## MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: <input type="checkbox"/> Personal Interview <input checked="" type="checkbox"/> Telephone Interview <input type="checkbox"/> Records Review <input type="checkbox"/> Other	Date and Time: October 30, 2008 8:30 a.m.
Activity or Interview of: Gregory Gayden Transportation Security Inspector (TSI) Dallas-Fort Worth International Airport (DFW)	Conducted by: Special Agent Stacey L. Saunier
	Location of Interview/Activity: OI/ID Arlington, VA

### Subject Matter/Remarks

On this date TSI Gregory Gayden was contacted to follow-up with an interview after a brief discussion regarding the louvered blinds and receiving the pictures the previous day. Gayden was not interviewed the previous day due to his work schedule and an unscheduled meeting I was requested to attend.

Gayden was advised he was being interviewed as a witness regarding an allegation involving alleged security issues at DFW. Specifically, Gayden was advised that the allegation involved management at DFW not requiring the airlines to fully self inspect in accordance with the security directives. Additionally, Gayden was advised that there was alleged to be a potential security issue involving the louvered blinds at seven checkpoints in the B concourse. Gayden advised he understood. Gayden provided the following background information:

He started his federal government career with the Transportation Security Administration (TSA) as a lead transportation security officer at DFW on September 29, 2002. He transferred to the TSI position in April 2005.

Regarding the issue of aircraft searches as they relate to [REDACTED] Gayden was asked whether he has always required airlines that were assigned to him to search [REDACTED] Gayden advised as follows:

Case Number: 1080315	Case Title: Possible Violation of Security Directive DFW- Regulatory
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Revised February 28, 2006

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## SENSITIVE SECURITY INFORMATION

### MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

He currently is assigned to Airport inspections and has only one airline assigned to him. [REDACTED]  
Prior to having the responsibility of Airport inspections, he had other airlines assigned to him.  
He has always required his assigned airlines to search [REDACTED]

Regarding the [REDACTED] he currently has [REDACTED]

There was a period of time, after receiving an e-mail authored by Supervisory Transportation Security Inspector (STSI) Wes Crow, when he did not require his assigned airlines to search [REDACTED]. From the time he received the "turn a blind eye" e-mail to very recently (after STSI Crow and Assistant Federal Security Director for Inspections Phil Zaglool resigned), he did not require his assigned airlines to search [REDACTED]. When he conducted his inspections, it was as if the [REDACTED]. He did not look at them because of the direction given in the e-mail written by STSI Crow.

Regarding the louvered blinds located at seven checkpoints in Terminal B, Gayden advised he was aware of the vulnerability these louvered blinds caused. Gayden provided the following information regarding the louvered blinds:

He was involved in an inspection of the airport back in 2005, and was there when TSI Kevin Toth advised STSI Crow of the vulnerability caused by the blinds. He is 6'3" and he can reach up and place his hand through the blinds. When Crow arrived at the checkpoint, he was smiling as if he already knew what we were going to say regarding the blinds. Toth told Crow about the vulnerability and Crow replied by advising that the blinds had been there for years and that the airport will not do anything about the blinds.

As of October 29, 2008, the airport has addressed all of the seven checkpoints: five have solid walls, one has doors and a wall, and one is being used 16 hours per day and the other eight hours there is a guard posted at the checkpoint. He plans to verify that the guard is being posted in the off-hours, and then he will close out this vulnerability in PARIS.

The number of the checkpoints can be confusing. On the public side they are one number, and sometimes the number is different when you are on the sterile side.

In summary, Gayden did receive the "turn a blind eye" e-mail, which was forwarded to him by TSI Kevin Toth. Gayden believes that the "turn a blind eye" e-mail was in fact telling him to overlook the requirements of the security directives and/or emergency amendments as they related to aircraft searches. Gayden did not require the airlines to conduct the searches regarding the [REDACTED] from mid-April 2006 through mid-May 2008, when DFW appointed new management in the

Case Number:  
I080315

Case Title:  
Possible Violation of Security Directive DFW- Regulatory

Revised February 28, 2006

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**SENSITIVE SECURITY INFORMATION**

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**MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)**

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Inspections function. Gayden is currently requiring the airlines to search [REDACTED]  
[REDACTED]

Gayden forwarded pictures he took today from the public side of the checkpoint, which are attached to this memorandum of interview.

Case Number:  
1080315

Case Title:  
Possible Violation of Security Directive DFW- Regulatory

Revised February 28, 2006

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## Saunier, Stacey

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**From:** Gayden, Gregory

**Sent:** Thursday, October 30, 2008 2:26 PM

**To:** Saunier, Stacey

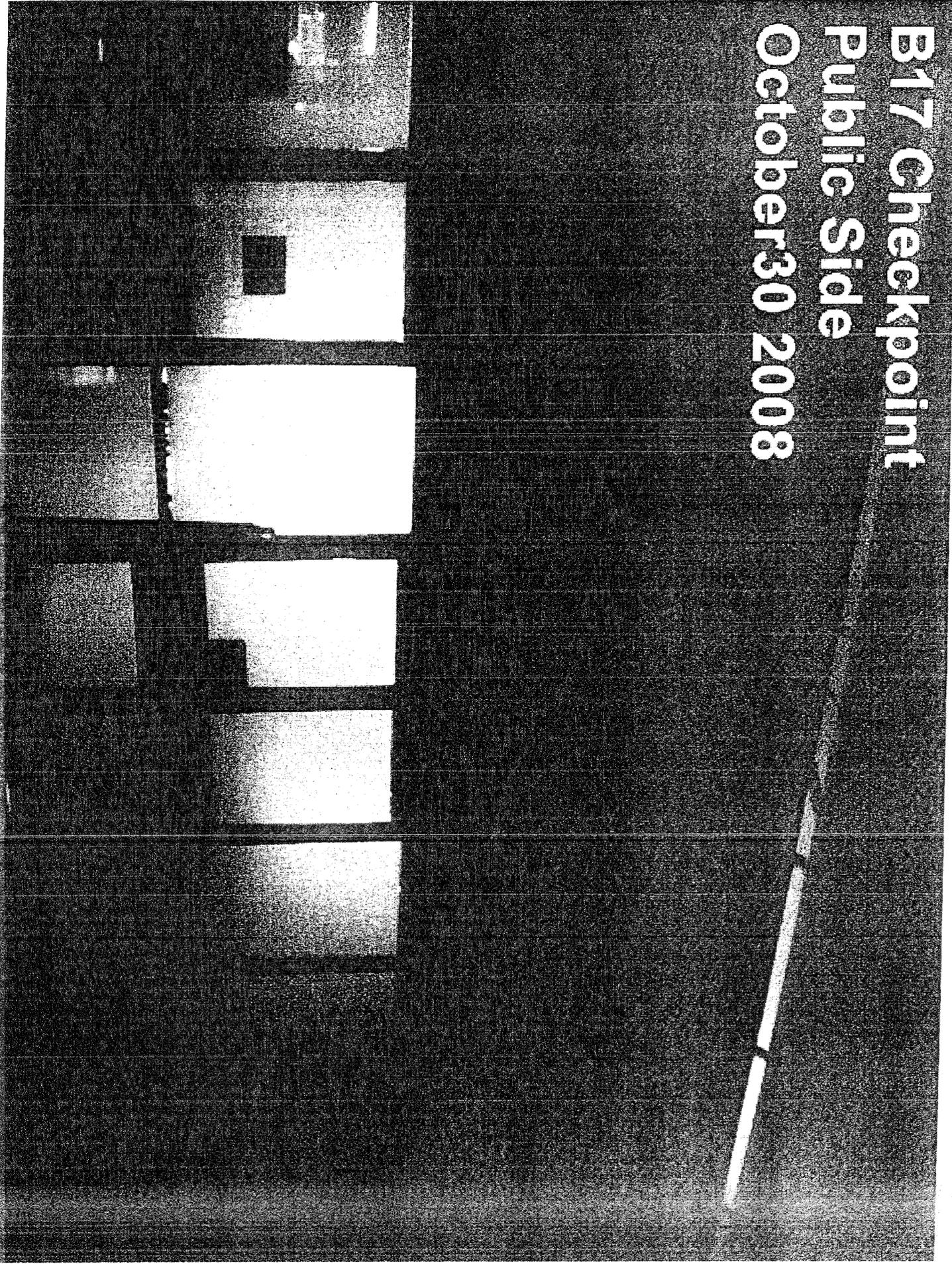
**Subject:** DFW Terminal B Pictures

**Attachments:** B35 October 30, 2008 Front.jpg; B17 October 30, 2008 Front.jpg; B19 October 30, 2008 Front.jpg; B21 October 30, 2008 Front.jpg; B23 October 30, 2008 Front.jpg; B27 October 30, 2008 Front.jpg; B30 October 30, 2008 Front.jpg

Here are the pictures I took today from the public side of the checkpoints. Hope this helps.

Greg Gayden  
Transportation Security Inspector (Aviation)  
Department of Homeland Security  
Dallas Ft. Worth International Airport  
Office 469.948.1877  
Mobile 972.467.9175  
[gregory.gayden@dhs.gov](mailto:gregory.gayden@dhs.gov)

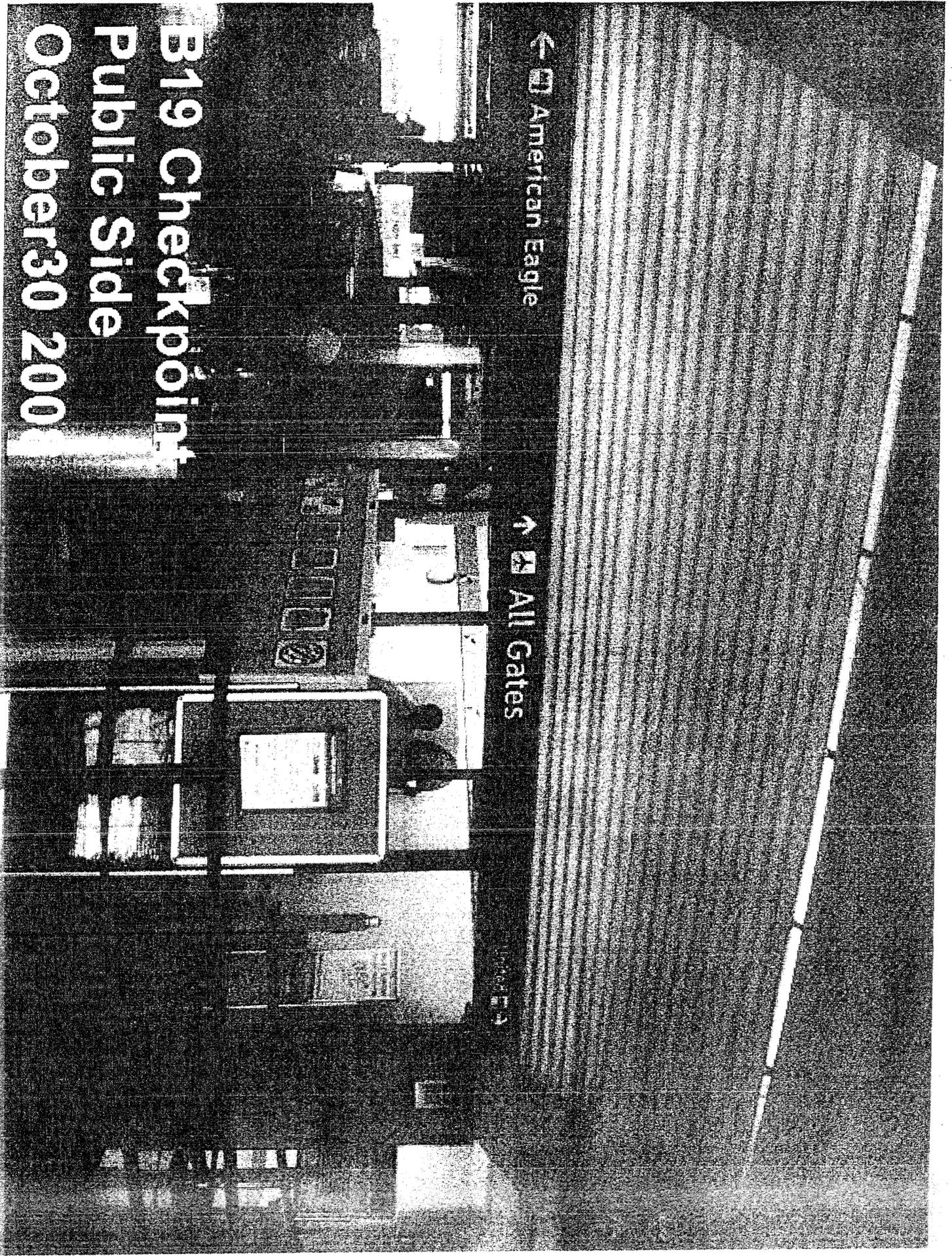
**B17 Checkpoint  
Public Side  
October 30 2008**



←  American Eagle

↑  All Gates

# B19 Checkpoint Public Side October 30 2004



← American Eagle

ALPHA

→

→

**B21 Checkpoint**

**Public Side**

**October 30 2008**



← **E1** American Eagle

← **E3** All Gates

→ **E4**

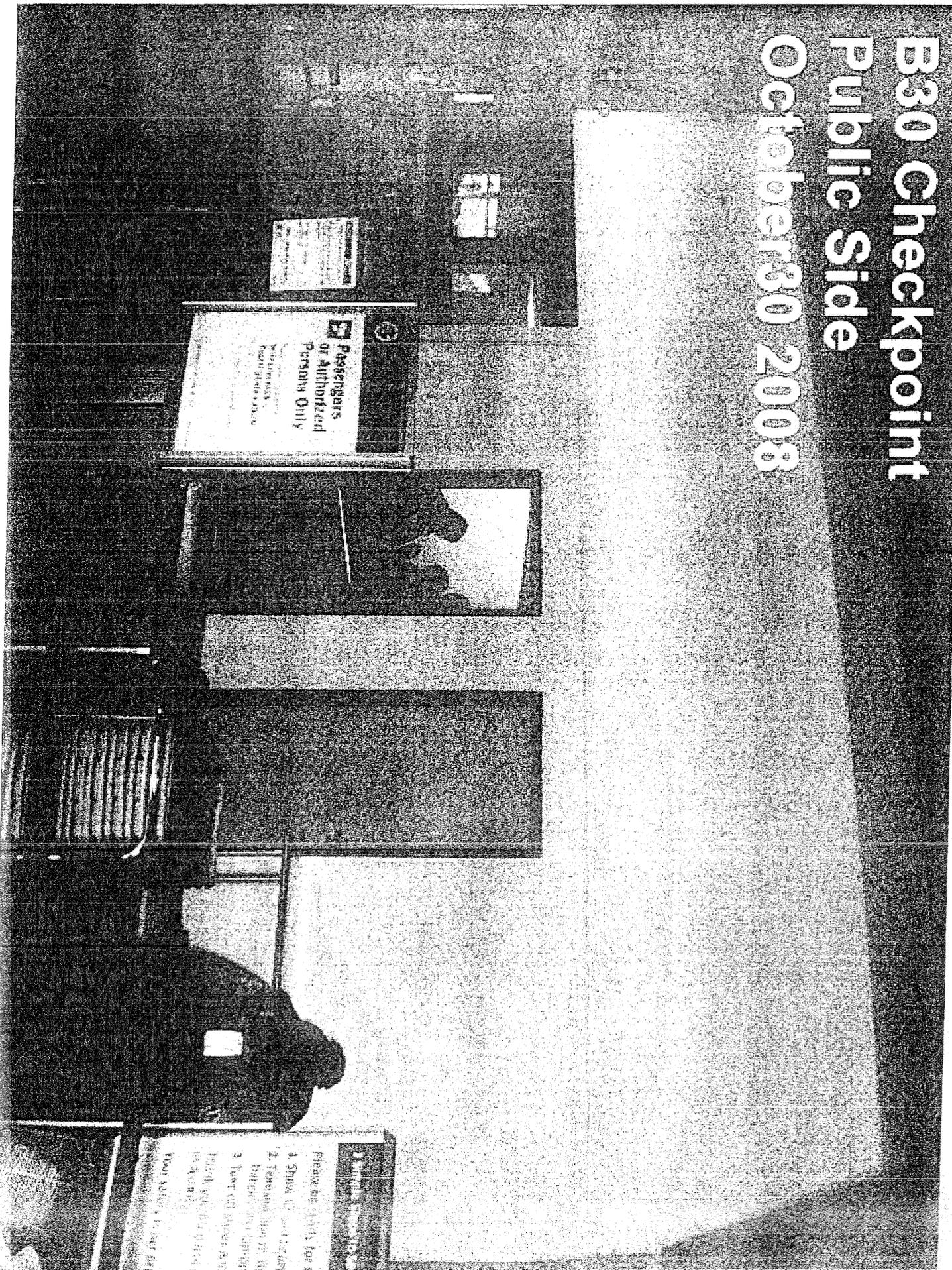
**B23 Checkpoint  
Public Side  
October 30 2008**

← 52 American Eagle

United →

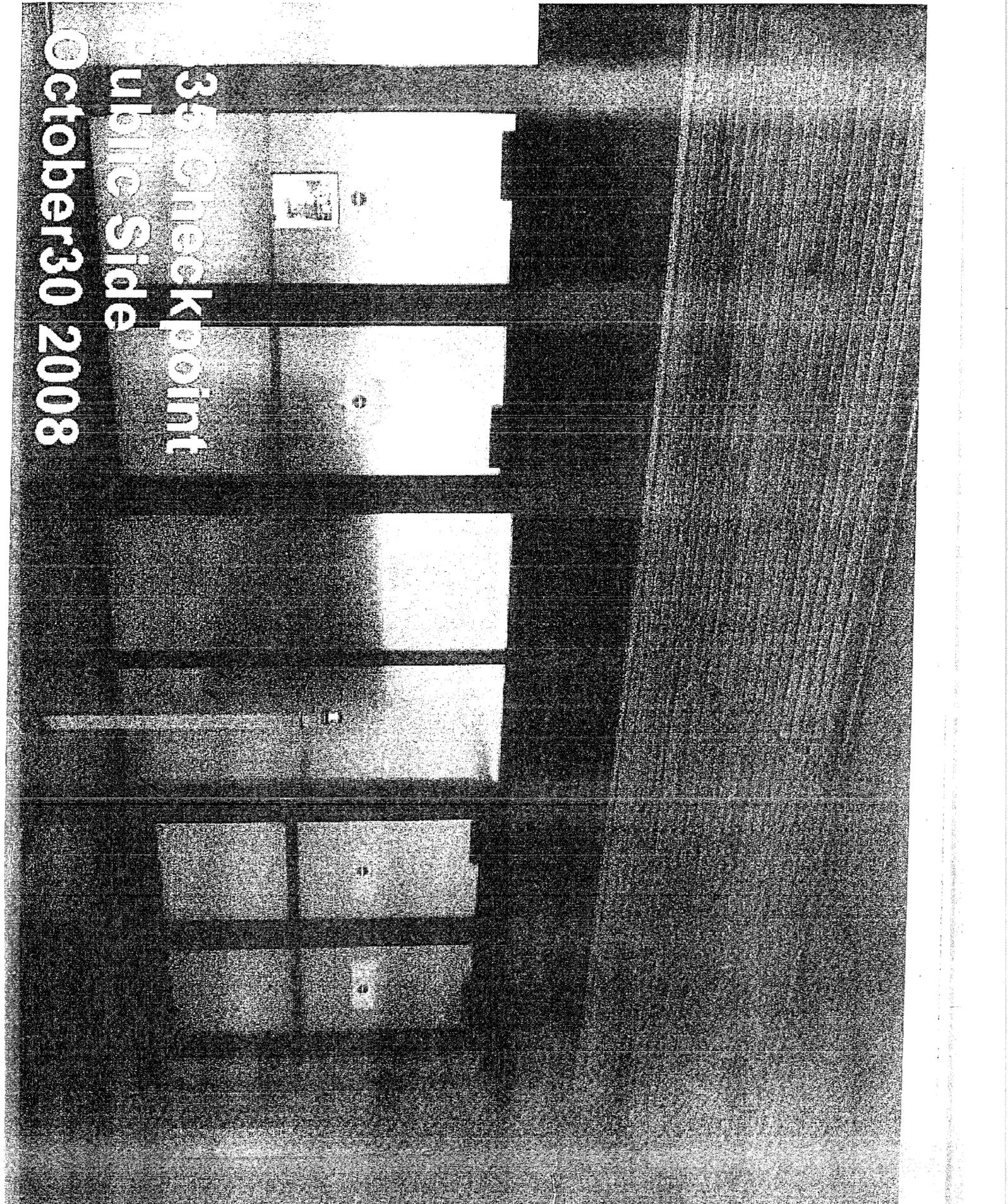
**B27 Checkpoint  
Public Side  
October 30 2008**

# B30 Checkpoint Public Side October 30 2008



Please be ready for a  
1. Spin up and bag  
2. Remove items of  
3. Lock and open bag  
4. Place your bag on the  
5. Place your bag on the  
6. Place your bag on the  
7. Place your bag on the  
8. Place your bag on the  
9. Place your bag on the  
10. Place your bag on the

**34 Checkpoint  
Public Side  
October 30 2008**



**ATTACHMENT 29**

**Attachment 29**

# SENSITIVE SECURITY INFORMATION



## MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: <input type="checkbox"/> Personal Interview <input type="checkbox"/> Telephone Interview <input type="checkbox"/> Records Review <input checked="" type="checkbox"/> Other	Date and Time: October 31, 2008
Activity or Interview of: Review of all interviews and statements provided by the Transportation Security Inspectors (TSIs) at Dallas-Fort Worth International Airport (DFW)	Conducted by: Special Agent Stacey L. Saunier
	Location of Interview/Activity: OI/IID Arlington, VA

### Subject Matter/Remarks

A review of all of the interviews and statements provided by the TSIs at DFW was conducted.

Attached to this memorandum of activity is a table showing the answers to the pertinent questions regarding whether the TSIs:

- Received the "turn a blind eye" e-mail.
- Required their assigned air carriers to search [REDACTED]
- Required their assigned air carriers to search [REDACTED]

Case Number:

1080315

Case Title:

Possible Violation of Security Directive DFW- Regulatory

Revised February 28, 2006

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ISSUE	KT	AL	SC	AS	AD	BM	DB	JB	JM	RS	EL	GG
Have you seen or received the "turn a blind eye" e-mail?	Y	Y	N	Y	N	N	N	Y	N	N	N	Y
Did you follow the direction of STSI Crow (contained in the e-mail) and NOT require your assigned air carrier(s) to properly perform the self inspection regarding the [redacted]?	Y	Y	N/A	Y	N/A	N/A	N/A	N	N/A	N/A	N/A	Y
Did you follow the direction of STSI Crow (contained in the e-mail) and NOT require your air carrier(s) to properly perform the self inspection regarding the [redacted]?	N	Y	N/A	Y	N/A	N/A	N/A	N	N/A	N/A	N/A	N
Do you currently require your assigned air carriers to search [redacted]?	Y	Y	Y	Y	Y	Y	Y	Y	Y	**	**	Y
Have you always required your assigned air carriers to search [redacted] If no, why?	N	N	Y	N	Y	Y	Y	Y	Y	Y	N	N
Do you currently require your assigned airlines to search [redacted]?	Y	Y	Y	Y	Y	Y	Y	Y	Y	***	Y	Y
Have you always required your assigned air carriers to search [redacted] If not, why?	Y	N	Y	N	N	Y	Y	Y	Y	Y	N	Y
		email		email	Poor training						Zaglool (above) Crow was mentor	

**LEGEND**

- KT** = Kevin Toth, TSI – Aviation, DFW –
- AL** = Angela Lowry, TSI – Aviation, DFW –
- SC** = Stephanie Craine, TSI – Aviation, DFW
- AS** = Arnulfo Salinas, TSI – Aviation, DFW
- AD** = Aaron Dietz, TSI – Aviation, DFW –
- BM** = Ben Mendoza, TSI – Aviation, DFW
- DB** = Dennis Bonewitz, TSI – Aviation, DFW
- JB** = Jerisa Baptist, TSI – Aviation, DFW
- JM** = James Martin, TSI – Aviation, DFW
- RS** = Rick Strickland, TSI – \*Cargo, DFW
- EL** = Efrain Longoria, TSI – \*Cargo (Dallas-Love Field)

did not require search [redacted] because of the e-mail from Crow.

did not require search [redacted] because of the e-mail from Crow.

did not require search [redacted] because of the e-mail from Crow.

did not require search [redacted] because of poor training and being told the [redacted] Also, in his position as Acting STSI, he has spoken with a couple of the Principal Security Inspectors (PSIs) at Headquarters and has received differing opinions on the issues over the need to search [redacted]

His mentor when he started was Wes Crow

Crow told him he did not need to require his assigned air carriers to search [redacted]

Zaglool told him he was tired of Longoria bringing issues to his attention. Zaglool told him to let the issues regarding the [redacted] rest. Longoria was afraid he could lose his job if he brought the issues forward. [redacted]

\*\* - on cargo aircraft, there are [redacted]  
\*\*\* - on cargo aircraft, [redacted]

**ATTACHMENT 30**

**Attachment 30**

# SENSITIVE SECURITY INFORMATION



## MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: <input type="checkbox"/> Personal Interview <input type="checkbox"/> Telephone Interview <input type="checkbox"/> Records Review <input checked="" type="checkbox"/> Other	Date and Time: November 3, 2008
Activity or Interview of: Receipt of Memorandum from Assistant Administrator Lee Lair Security Operations Transportation Security Administration	Conducted by: Special Agent Stacey L. Saunier
	Location of Interview/Activity: OI/IID Arlington, VA

### Subject Matter/Remarks

Pursuant to a request from Assistant Administrator K. David Holmes, Office of Inspection, Assistant Administrator Lee Kair provided the attached memorandum.

Case Number:  
1080315

Case Title:  
Possible Violation of Security Directive DFW- Regulatory

Revised February 28, 2006

SENSITIVE SECURITY INFORMATION/FOR OFFICIAL USE ONLY

**WARNING: THIS DOCUMENT CONTAINS SENSITIVE SECURITY INFORMATION THAT IS CONTROLLED UNDER 49 CFR PART 1520. NO PART OF THIS DOCUMENT MAY BE RELEASED TO PERSONS WITHOUT A NEED TO KNOW, AS DEFINED IN 49 CFR 1520, EXCEPT WITH THE WRITTEN PERMISSION OF THE ADMINISTRATOR OF THE TRANSPORTATION SECURITY ADMINISTRATION, WASHINGTON, DC. UNAUTHORIZED RELEASE MAY RESULT IN CIVIL PENALTY OR OTHER ACTION. FOR U.S. GOVERNMENT AGENCIES, PUBLIC RELEASE IS GOVERNED BY 5 U.S.C. 552.**

November 3, 2008



Transportation  
Security  
Administration

INFORMATION

MEMORANDUM FOR: K. David Holmes, Jr.  
Assistant Administrator  
Office of Inspection (OI)

FROM: Lee R. Kair *LKR*  
Assistant Administrator  
Security Operations

SUBJECT: Compliance Programs Recommendations as a Result of  
Concerns at DFW

This memorandum conveys correspondence concerning actions taken by the Office of Security Operations, Compliance Programs, to address the concerns that were raised by TSI Kevin Toth through the Office of Special Counsel.

Following the receipt of these allegations, The Office of Security Operations, Compliance Programs, joined special agents from the Office of Inspections in order to offer technical support regarding the investigation of this matter. The basis for the allegations concerned the degree to which aircraft cabins are searched.

Several actions were taken by OSO Compliance Programs in response to this matter including revisions to procedures and aircraft operator-approved security programs, additional enforcement actions (strikes), and development of additional training. Moreover, OSO and TSNM will collaborate on a joint effort to identify and implement appropriate procedural and program changes.

OSO Compliance Programs has already taken steps to ensure consistent oversight of the inspection requirements and will encourage field inspectors to avail themselves of communications channels to raise comments and concerns regarding program policy and interpretation.

U.S. Department of Homeland Security  
601 South 12<sup>th</sup> Street  
Arlington, VA 22202



Transportation  
Security  
Administration

November 3, 2008

INFORMATION

MEMORANDUM FOR: Pete Garcia, General Manager (Acting)  
Office of Security Operations – Compliance Programs

THROUGH: Joseph Kris, Assistant General Manager  
Compliance Programs - Domestic Aviation

FROM: Alan C. Paterno, Eastern Area Inspector  
Compliance Programs - Domestic Aviation

SUBJECT: Compliance Programs Support During the Office of Inspection  
Whistle Blower Investigation in Dallas Fort Worth Airport (DFW)

Purpose:

The Office of Inspections (OI) requested subject matter support regarding matters of aviation security requirements in connection with their investigation of allegations made by Transportation Security Inspector (TSI) Kevin Toth under the Whistle Blower Protection Act. The subject matter was provided to Special Agent (SA) Stacey Saunier on matters of technical security regulation and to ensure coordination with TSA HQ OSO-Compliance Programs in the event national impact program issues requiring program adjustment were disclosed during the investigation.

Background:

On April 19, 2006, Supervisory TSI Wes Crow (STSI Crow) held a meeting where instructions were given to a portion of the TSI-Aviation staff that had raised some concern about how to inspect aircraft cabins. On April 20, 2006, TSI Toth sent an email asking for clarification on search [REDACTED] aircraft cabin. STSI Crow responded with an email that encouraged TSI Toth to "turn a blind eye" and "not to make this an intense point of observation" (see attachment #1). At some point during June 2008, TSI Toth reported to the U.S. Office of Special Counsel (OSC) the security vulnerability implied by this email. The OSC sent a letter the Secretary Chertoff on July 2, 2008, outlining the allegations and charging the Secretary to investigate and report the findings to the OSC, who may report the findings to the President and the appropriate oversight committees in the Senate or House of Representatives. (See attachment #2)

SENSITIVE SECURITY INFORMATION

**Discussion:**

On July 28, 2008, SA Stacey Saunier and SA Tony Delano of the TSA OI conducted their interview with TSI Toth. Subject Matter Expert Alan Paterno was present for the interview. TSI Toth expressed concern over the manner in which aircraft operators search [REDACTED]

[REDACTED] TSI Toth indicated that he requires his assigned aircraft operators [REDACTED] in the cabin. TSI Toth offered that he is the only one enforcing the correct measures and alleged this violation goes beyond DFW and expanded his allegation to a national level. He stated that he has boarded other aircraft that arrive after being searched [REDACTED]

[REDACTED] It was brought to the attention of TSI Toth that aircraft operators to search the cabin [REDACTED]

TSI Toth expressed the opinion that the aircraft operators are falsifying their search sheets, but he did not offer evidence to support his industry-wide claim. Additionally, other TSIs at DFW who were interviewed stated that their assigned carriers were "in compliance" with the search requirements of the Aircraft Operator Standard Security Program (AOSSP). TSI Toth also addressed a structural vulnerability in the DFW terminal that will allow for prohibited item to be passed from the public area to the sterile area. This vulnerability has been acknowledged by the airport and is currently being addressed with the local Federal Security Director.

**Action Taken/Planned:**

OSO-Compliance Programs, Domestic Aviation, understands that consistent interpretation and application of security rules by the field work force is an essential element in obtaining industry compliance. To reinforce this principle, OSO Compliance Programs has taken or will take the following actions:

- Limiting inspection approval authority to only those AFSD-Is and the Supervisory TSIs in the field
- Selection of a submission to the Idea Factory to serve as the basis for initiating an On-line Learning Center training video focused on cabin search requirements (currently under development)
- Creation of a Foreign Air Carrier at a Domestic Port Special Emphasis Inspection (SEI) focused on cabin search requirements that can be adopted for domestic carriers. It is included in the SEI protocols for the FY09 Regulatory Activities Plan and has been posted to SharePoint for National use
- Conveying its recommendations for revisions to the program language in the AOSSP and Model Security Program (MSP) related to cabin searches to TSNM
- Collaborating with TSNM in identifying appropriate modifications and updates to industry search plans
- Proposing the formation of a working group that will include members from OSO Compliance Programs, the Office of Transportation Sector Network Management (TSNM), and the Office of Global Strategies (OGS) to meet, discuss, and evaluate

SENSITIVE SECURITY INFORMATION

proposals for program revisions and updates to search plans and identify appropriate areas for special emphasis inspection

- Expand communications channels between HQ and the field inspector cadre by encouraging the use of the established e-mail address [OSOINSOP@dhs.gov](mailto:OSOINSOP@dhs.gov), which is available to inspectors for the purpose of elevating their comments and concerns regarding program policy and interpretations

Additionally, the Federal Security Director at DFW will determine what actions are necessary regarding Mr. Wes Crow following his e-mail communications with Mr. Kevin Toth (attached) as detailed in this case.

Attachments:

Email from STSI Wes Crow to TSI TOTH dated April 20, 2006

Copy of letter from OSC to Honorable Michael Chertoff dated July 2, 2008

Copy of SME memo to Compliance Programs

SENSITIVE SECURITY INFORMATION

**WARNING: THIS RECORD CONTAINS SENSITIVE SECURITY INFORMATION THAT IS CONTROLLED UNDER 49 C.F.R. PARTS 15 AND 1520. NO PART OF THIS RECORD MAY BE DISCLOSED TO PERSONS WITHOUT A "NEED TO KNOW," AS DEFINED IN 49 C.F.R. PARTS 15 AND 1520, EXCEPT WITH THE WRITTEN PERMISSION OF THE ADMINISTRATOR OF THE TRANSPORTATION SECURITY ADMINISTRATION OR THE SECRETARY OF TRANSPORTATION. UNAUTHORIZED RELEASE MAY RESULT IN CIVIL PENALTIES OR OTHER ACTION.**  
FOR U.S. GOVERNMENT AGENCIES: PUBLIC DISCLOSURE GOVERNED BY 5 U.S.C. 552 AND 49 C.F.R. PARTS 15 AND 1520

#1

-----Original Message-----

**From:** Crow, Wes  
**Sent:** Thursday, April 20, 2006 8:10 AM  
**To:** Toth, Kevin  
**Cc:** Zagloul, Phillip  
**Subject:** RE:  
**Importance:** High

Kevin,

Sometimes wisdom is knowing when to turn a blind eye! The air carriers are expected to comply with the SD's & EA's. That's it! I'm sure that if the ASI's don't make the issue a point of intense observation neither will the air carriers. Let's give HQ's some breathing room on this issue and see if they affect any changes. In a month or so we can give Steve J. a call and see what has come of the subject. We need to let this topic take a rest!

Wes W. Crow  
Aviation Security Supervisor  
Office 469-948-1813  
Cell 214-952-5362

-----Original Message-----

**From:** Toth, Kevin  
**Sent:** Thursday, April 20, 2006 7:26 AM  
**To:** Crow, Wes  
**Subject:**

Wes, based on conversations yesterday, I want to make sure that I have an understanding as to how we are going to view the interior search of aircraft. As it pertains to



I know that this was discussed; however I am not sure about the final disposition.

Please advise. I know that you put out an earlier message, how ever this addressed the enforcement issues, and since this guidance no enforcement actions have been initiated. How are we to record our inspections in PARIS?

Kevin C. Toth  
DFW International Airport  
Coppell, TX  
Office: (469) 948-1873  
Cell: (214) 952-6165  
[kevin.toth@dhs.gov](mailto:kevin.toth@dhs.gov)

#2



U.S. OFFICE OF SPECIAL COUNSEL

1130 M Street, N.W., Suite 300  
Washington, D.C. 20036-4505

July 2, 2008

The Special Counsel

The Honorable Michael Chertoff  
Secretary  
U.S. Department of Homeland Security  
245 Murray Drive, S.W., Building 410  
Washington, D.C. 20528

RECEIVED BY OHS EXEC SEC  
2008 JUL -2 PM 2:31

Re: OSC File No. DI-08-1905

Dear Mr. Secretary:

Pursuant to my responsibilities as Special Counsel, I am referring to you a whistleblower disclosure that employees are instructed to ignore insufficient self-inspections by aircraft operators at the Department of Homeland Security, Transportation Security Administration (TSA), Dallas Fort Worth International Airport (DFW), Office of Inspections (OI), Coppell, Texas. The management philosophy at TSA OI at Coppell is reflected in a supervisory official's e-mail to the whistleblower; "[s]ometimes wisdom is knowing when to turn a blind eye!"<sup>1</sup> The whistleblower, Transportation Security Inspector (TSI) Kevin Toth, alleges that TSA management expressly directed TSA inspectors to disregard security policies by not requiring aircraft operators to search [redacted] for prohibited items. Mr. Toth also alleges that the venetian blinds located outside seven gates in Terminal B at DFW are susceptible to having prohibited items passed through them into the sterile area. Mr. Toth, who has consented to the release of his name, alleges that management's actions to impede oversight over the airlines' self-inspections jeopardize public safety as well as violate a Security Directive, the Aircraft Operator Standard Security Program, and an Emergency Amendment issued to foreign aircraft operators. Accordingly, I am referring this information to you for an investigation of these allegations and a report of your findings.

The U.S. Office of Special Counsel (OSC) is authorized by law to receive disclosures of information from federal employees alleging violations of law, rule, or regulation, gross mismanagement, gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety. 5 U.S.C. § 1213(a) and (b). As Special Counsel, if I find, on the basis of the information disclosed, that there is a substantial likelihood that one of these conditions exists, I am required to advise the appropriate agency head of my findings, and the agency head is required to conduct an investigation of the allegations and prepare a report. 5 U.S.C. § 1213(c) and (g).

<sup>1</sup> April 20, 2006, e-mail from Aviation Security Supervisor Wes Crow to Transportation Security Inspector Kevin Toth and Assistant Federal Security Director for Inspections Phillip Zagloul.

The Special Counsel

The Honorable Michael Chertoff  
Page 2

Specifically, Mr. Toth alleges that on April 19, 2006, Aviation Security Supervisor Wes Crow and Assistant Federal Security Director for Inspections Philip Zagloul instructed TSA inspectors to overlook airlines' failures to search [REDACTED]. Mr. Crow and Mr. Zagloul told inspectors that they were to ask air carriers to inspect [REDACTED]. After he received these instructions, Mr. Toth e-mailed Mr. Crow on April 20, 2006, to confirm the accuracy of these instructions, because Mr. Toth believed they contradicted agency directives. A copy of the e-mail correspondences is attached. Mr. Crow replied promptly to the e-mail, acknowledged the accuracy of the instructions, and carbon copied Mr. Zagloul on the message. Mr. Crow's message stated in its entirety:

Kevin,

Sometimes wisdom is knowing when to turn a blind eye! The air carriers are expected to comply with the SD's [Security Directives] & EA's [Emergency Amendments]. That's it! I'm sure that if the ASP's [Aviation Security Inspectors]<sup>2</sup> don't make the issue a point of intense observation neither will the air carriers. Let's give HQ's some breathing room on this issue and see if they affect any changes. In a month or so we can give Steve J. [Steve Jenkins]<sup>3</sup> a call and see what has come of the subject. We need to let this topic take a rest!

Mr. Toth received no subsequent clarification from either Mr. Crow or Mr. Zagloul on the inspection policies. Mr. Toth is also unaware of any follow-up with Mr. Jenkins or any other individuals in headquarters on this issue.

Aviation Security Directive SD 1544-01-10Z, dated September 27, 2004, requires aircraft operators [REDACTED]

<sup>2</sup> Aviation Security Inspectors are now known as Transportation Security Inspectors.

<sup>3</sup> Steve Jenkins is Branch Chief, Commercial Airlines Sector, Office of Transportation Sector Network Management, Transportation Security Administration.

The Special Counsel

The Honorable Michael Chertoff  
Page 3

While Mr. Toth requires air carriers [redacted] other TSI's follow Mr. Crow and Mr. Zagloul's instructions and do not require air carriers to conduct such searches. Mr. Toth has faced documented resistance from air carriers after he requested that they [redacted]

[redacted] Shane Williams, Corporate Manager for Security, [redacted] told Mr. Toth via e-mail on May 22, 2008, that [redacted] was not part of its approved aircraft search program and it had no intention of changing its procedures. Mr. Williams directed Mr. Toth to contact [redacted] Principal Security Inspector (PSI) if he disagreed with his assessment. Mr. Toth contacted [redacted] PSI, Dan Glover, TSA Headquarters, Washington, D.C. Mr. Glover replied to Mr. Toth on June 11, 2008, and directed that the [redacted]

While [redacted] has begun to address the problem of the [redacted] [redacted] has not. On June 4, 2008, Mark Lascola, General Manager [redacted] told Mr. Toth via e-mail that the [redacted] Mr. Toth disagrees with the claim that the [redacted] Mr. Toth suggested [redacted]

Additional guidance contained in an August 19, 2004, Operational Procedures and Inspection Guidance: Security Directive(s): 1544-01-10/11 Series, specifically extended the requirement [redacted]

[redacted] Mr. Toth relies on Mr. Crow and Mr. Zagloul's instructions as his basis for this omission even though he believes they are required to be searched.

Next, Mr. Toth alleged that a vulnerability to airport safety exists outside of gates B17, B19, B22, B24, B27, B33, and B35 in Terminal B by which members of the public may pass prohibited items to passengers in the sterile area. The public areas are separated from the sterile areas by a locked door or wall. The venetian blinds are located directly above the locked doors and walls and proceed at a 45 degree angle slanted towards the public side. Copies of photographs showing the blinds at two such gates are enclosed. Mr. Toth explained that members of the public may readily access the public side of this division and passengers, who have passed through the security checkpoint, may reach the sterile side of this division. The individual blinds may be separated to allow an item over twelve inches wide to pass through the blinds. While he has never seen any items passed through in this manner, Mr. Toth explained that there is no security mechanism in place to prevent this type of occurrence.

I have concluded that there is a substantial likelihood that the information Mr. Toth provided to OSC discloses a violation of law, rule, or regulation and a substantial and specific danger to public safety. As previously stated, I am referring this information to you for an

The Special Counsel

The Honorable Michael Chertoff  
Page 4

investigation of Mr. Toth's allegations and a report of your findings within 60 days of your receipt of this letter. By law, the report must be reviewed and signed by you personally. Should you delegate your authority to review and sign the report to the Inspector General, or any other official, the delegation must be specifically stated and must include the authority to take the actions necessary under 5 U.S.C. § 1213(d)(5). Without this information, I would hasten to add that the report may be found deficient. The requirements of the report are set forth at 5 U.S.C. § 1213(e) and (d). A summary of § 1213(d) is enclosed. As a matter of policy, OSC also requires that your investigators interview the whistleblower as part of the agency investigation whenever the whistleblower consents to the disclosure of his or her name.

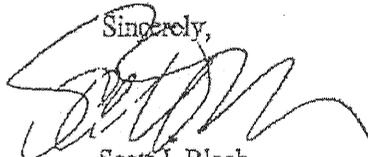
In the event it is not possible to report on the matter within the 60-day time limit under the statute, you may request in writing an extension of time not to exceed 60 days. Please be advised that an extension of time is normally not granted automatically, but only upon a showing of good cause. Accordingly, in the written request for an extension of time, please state specifically the reasons the additional time is needed. Any additional requests for an extension of time must be personally approved by me.

After making the determinations required by 5 U.S.C. § 1213(e)(2), copies of the report, along with any comments on the report from the person making the disclosure and any comments or recommendations by this office, will be sent to the President and the appropriate oversight committees in the Senate and House of Representatives. (5 U.S.C. § 1213(e)(3)).

Unless classified or prohibited from release by law, a copy of the report and any comments will be placed in a public file in accordance with 5 U.S.C. § 1219(a).

Please refer to our file number in any correspondence on this matter. If you need further information, please contact Catherine A. McMullen, Chief, Disclosure Unit, at (202) 254-3604. I am also available for any questions you may have.

Sincerely,



Scott J. Bloch

Enclosures

Enclosure

Requirements of 5 U.S.C. § 1213(d)

Any report required under subsection (c) shall be reviewed and signed by the head of the agency<sup>1</sup> and shall include:

- (1) a summary of the information with respect to which the investigation was initiated;
- (2) a description of the conduct of the investigation;
- (3) a summary of any evidence obtained from the investigation;
- (4) a listing of any violation or apparent violation of law, rule or regulation; and
- (5) a description of any action taken or planned as a result of the investigation, such as:
  - (A) changes in agency rules, regulations or practices;
  - (B) the restoration of any aggrieved employee;
  - (C) disciplinary action against any employee; and
  - (D) referral to the Attorney General of any evidence of criminal violation.

In addition, we are interested in learning of any dollar savings, or projected savings, and any management initiatives that may result from this review.

---

<sup>1</sup> Should you decide to delegate authority to another official to review and sign the report, your delegation must be specifically stated.

-----Original Message-----

**From:** Crow, Wes  
**Sent:** Thursday, April 20, 2006 8:10 AM  
**To:** Toth, Kevin  
**Cc:** Zagloul, Phillip  
**Subject:** RE:  
**Importance:** High

Kevin,

Sometimes wisdom is knowing when to turn a blind eye! The air carriers are expected to comply with the SD's & EA's. That's it! I'm sure that if the ASI's don't make the issue a point of intense observation neither will the air carriers. Let's give HQ's some breathing room on this issue and see if they affect any changes. In a month or so we can give Steve J. a call and see what has come of the subject. We need to let this topic take a rest!

Wes W. Crow  
Aviation Security Supervisor  
Office 469-948-1813  
Cell 214-952-5362

-----Original Message-----

**From:** Toth, Kevin  
**Sent:** Thursday, April 20, 2006 7:26 AM  
**To:** Crow, Wes  
**Subject:**

Wes, based on conversations yesterday, I want to make sure that I have an understanding as to how we are going to view the interior search of aircraft. As it pertains to [REDACTED]

Phil also mentioned that we would take the same approach [REDACTED]

Please advise. I know that you put out an earlier message, how ever this addressed the enforcement issues, and since this guidance no enforcement actions have been initiated. How are we to record our inspections in PARIS?

Kevin C. Toth  
DFW International Airport  
Coppell, TX  
Office: (469) 948-1873  
Cell: (214) 952-6165  
[kevin.toth@dhs.gov](mailto:kevin.toth@dhs.gov)

**From:** Shane Williams [mailto:shane.williams@[REDACTED].com]  
**Sent:** Thursday, May 22, 2008 1:34 PM  
**To:** Toth, Kevin  
**Cc:** Glover, Robert A  
**Subject:** [REDACTED]

Kevin,

We have investigated [REDACTED] of the 737 that you believe should be searched. We [REDACTED] at this time, we are not changing our aircraft search procedures. If you disagree with this measure, we request that you send this information to our PSI. We will then work to make the change to our approved program through our PSI.

Thanks,

Shane Williams

07/JUL 7. 2008 3:01PM 20265 DHS GENERAL COUNSEL

NO. 2734 P. 9009/014

From: Lascola, Mark [mailto:Mark.Lascola@[REDACTED].com]  
Sent: Wednesday, June 04, 2008 11:14 AM  
To: Toth, Kevin  
Cc: Idris, Omar  
Subject: [REDACTED] in 737 [REDACTED]

Kevin,

I have contacted our Headquarters Policy and Procedure Department for Airport Services. The [REDACTED] therefore it is not inspected.

Please feel free to contact our headquarters using your TSA liaison with CO for any additional comments or questions as this more of a policy and procedures issue.

Regards,  
Mark LaScola  
General Manager  
[REDACTED]

-----Original Message-----

From: Johnson, Vernon <STSI>  
Sent: Wed 6/11/2008 1:51 PM  
To: Toth, Kevin  
Cc: Dietz, Aaron; Michael.Donnelly@dhs.gov  
Subject: FW: [REDACTED] Clarification

Kevin,

Please move forward with your findings on [REDACTED] based on the clarification provided by PSI Robert Glover. Thanks for your patience.

Regards,

Vernon W. Johnson  
Supervisory Transportation Security Inspector  
Department of Homeland Security  
Transportation Security Administration  
Dallas/Fort Worth International Airport  
469-948-1859 | Office  
214-298-4977 | Call  
vernon.johnson@dhs.gov

Visit us at [www.tsa.gov](http://www.tsa.gov)

---

From: Glover, Robert A  
Sent: Wednesday, June 11, 2008 1:44 PM  
To: Johnson, Vernon <STSI>  
Cc: Kris, Joseph E  
Subject: [REDACTED] Clarification

Vernon,

Thought this question was answered already but just found out that it wasn't. So here it is. [REDACTED]

[REDACTED] would be in violation if that is not happening.

Robert

**ATTACHMENT 31**

**Attachment 31**

# SENSITIVE SECURITY INFORMATION



## MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: <input type="checkbox"/> Personal Interview <input type="checkbox"/> Telephone Interview <input type="checkbox"/> Records Review <input checked="" type="checkbox"/> Other	Date and Time: November 3, 2008
Activity or Interview of: Receipt of Memorandum from Assistant Administrator John Sammon Transportation Sector Network Management Transportation Security Administration	Conducted by: Special Agent Stacey L. Saunier
	Location of Interview/Activity: OI/IID Arlington, VA

Subject Matter/Remarks

Pursuant to a request from Assistant Administrator K. David Holmes, Office of Inspection, Assistant Administrator John Sammon provided the attached memorandum.

Case Number:  
1080315

Case Title:  
Possible Violation of Security Directive DFW- Regulatory

Revised February 28, 2006

**SENSITIVE SECURITY INFORMATION/FOR OFFICIAL USE ONLY**

**WARNING:** THIS DOCUMENT CONTAINS SENSITIVE SECURITY INFORMATION THAT IS CONTROLLED UNDER 49 CFR PART 1520. NO PART OF THIS DOCUMENT MAY BE RELEASED TO PERSONS WITHOUT A NEED TO KNOW, AS DEFINED IN 49 CFR 1520, EXCEPT WITH THE WRITTEN PERMISSION OF THE ADMINISTRATOR OF THE TRANSPORTATION SECURITY ADMINISTRATION, WASHINGTON, DC. UNAUTHORIZED RELEASE MAY RESULT IN CIVIL PENALTY OR OTHER ACTION. FOR U.S. GOVERNMENT AGENCIES, PUBLIC RELEASE IS GOVERNED BY 5 U.S.C 552.

U.S. Department of Homeland Security  
601 South 12<sup>th</sup> Street  
Arlington, VA 22202



Transportation  
Security  
Administration

NOV 3 - 2008

INFORMATION

MEMORANDUM FOR: K. David Holmes, Jr.  
Assistant Administrator  
Office of Inspection

FROM: John P. Sammon  
Assistant Administrator  
Transportation Sector Network Management

SUBJECT: Reply to Whistleblower Disclosure, Office of Special Counsel  
(OSC) File No. DI-08-1905

This is in response to an Office of Inspection memo dated October 23, 2008, regarding the above referenced investigation.

[REDACTED] the General Manager for [REDACTED]  
Commercial Airlines issued an urgent letter directing the aircraft operators to immediately develop aircraft search plans [REDACTED]. These plans were the basis for training material provided to the aircraft operators' search teams.

On April 10, 2006, the Office of Policy and Plans, which no longer exists, reissued the Aircraft Operator Standard Security Program (AOSSP). Chapter 12.3.1.A.10) included the requirements to search cabin compartments.

Once the AOSSP reissue became effective, the aircraft search plans played a minor role serving as a training program. However, these plans did not supersede requirements outlined in the AOSSP.

**ACTIONS TAKEN/PLANNED:**

Based on issues identified during this investigation, Transportation Sector Network Management's Commercial Airlines Division is taking the following steps:

- Interior search plans will be removed from the aircraft operators' Performance and Results Information System (PARIS) profile.
- Exterior aircraft search plans are being reviewed to eliminate any apparent conflicts with AOSSP requirements.

- Principal Security Inspectors (PSI) are contacting their carriers to ensure they are aware of the association between the aircraft search plans and the AOSSP requirements.
- The out-of-date plan mentioned in the investigation was admittedly an oversight caused by transitioning PSIs. The Commercial Airlines Division posted interim aircraft search guidance on August 19, 2004, to the web board which covered [REDACTED] until the April 2006 AOSSP rewrite was issued.
- A scheduled review of documents posted to the aircraft operators PARIS profile is now mandatory for each PSI. These reviews are to be conducted semiannually.
- In an effort to further support field inspectors with consistent guidance, the Commercial Airlines Division will redirect Transportation Security Inspectors (TSI) to use the established OSOINSP@dhs.gov to submit comments, questions, and concerns. This will direct the TSI inquiry to their assigned Office of Security Operation's Compliance area representatives, who will provide replies suitable for all field personnel.

#### CHANGES IN RULES, REGULATIONS, OR PRACTICES

The Commercial Airlines Division will be requesting the addition of human capital resources dedicated to the development and currency maintenance of the AOSSP. Staffing a Policy Branch will significantly reduce confusion. This will resolve situations such as those surrounding this investigation. In addition, this will support the need to incorporate all regulatory requirements into the AOSSP rather than relying on posting guidance on a web board or using individual carrier plans posted to PARIS profiles as basis for regulatory inspection.

ATTACHMENT 32

Attachment 32

# SENSITIVE SECURITY INFORMATION



## MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: <input type="checkbox"/> Personal Interview <input type="checkbox"/> Telephone Interview <input type="checkbox"/> Records Review <input checked="" type="checkbox"/> Other	Date and Time: November 4, 2008
Activity or Interview of: Receipt of Memorandum from Jack Armstrong Director Management Inquiries Branch	Conducted by: Special Agent Stacey L. Saunier
	Location of Interview/Activity: OI/IID Arlington, VA

### Subject Matter/Remarks

Pursuant to a request from the Management Inquiries Branch (MIB), Federal Security Director (FSD) Cedric Alexander, Dallas-Fort Worth International Airport (DFW), prepared a memorandum regarding Hotline Complaint #08-0318, summarizing the results of the inquiry into the allegations of hostile work environment and other management related issues.

FSD Alexander prepared a memorandum summarizing the fact-finding that was completed with the assistance of Assistant Federal Security Director for Law Enforcement (AFSD-LE) Gilbert Guaderrama, El Paso International Airport.

Attached to this memorandum of activity is a copy of the memorandum from Jack Armstrong, MIB, and the memorandum from Cedric Alexander, DFW.

Case Number: I080315	Case Title: Possible Violation of Security Directive DFW- Regulatory
-------------------------	---

Revised February 28, 2006

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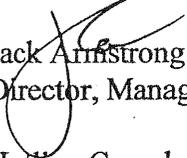


Transportation  
Security  
Administration

November 4, 2008

INFORMATION

MEMORANDUM FOR: Tony Zotto   
Director, Inspections and Investigations Division  
Office of Inspection

FROM: Jack Armstrong   
Director, Management Inquiries Branch

SUBJECT: Hotline Complaints HL08-0309 and HL08-0318

This is in response to Hotline Complaints HL08-0309 and HL08-0318, which was forwarded to the Management Inquiries Branch in August 2008, regarding Philip Zagloul, Assistant Federal Security Director (AFSD) for Inspections and Wesley Crow, Supervisory Transportation Security Inspector (STSI) at Dallas Fort Worth International Airport (DFW).

Cedric Alexander, Federal Security Director at DFW provided this office with the attached memorandum dated November 3, 2008, which closes both hotline complaints.

Attachment

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# CASE CLOSED

U.S. Department of Homeland Security  
DFW International Airport  
510 Airline Drive  
Coppell TX 75019



Transportation  
Security  
Administration

## Memorandum

November 3, 2008

**To:** Jack Armstrong  
Director, Management Inquiries Branch

**From:** Cedric L. Alexander, Psy.D.  
Federal Security Director

A handwritten signature in black ink, appearing to read "Cedric L. Alexander".

**Subject:** TSA Hotline Complaint # 08-0318

The purpose of this memorandum is in response to TSA Hotline Complaint # 08-0318 regarding allegations that TSA DFW Assistant Federal Security Director (AFSD) for Inspections, Philip Zagloul, and Supervisory Transportation Security Inspector (STSI) Wesley Crow created a hostile workplace. Additionally, the complaint addressed allegations of failure of AFSD Zagloul and STSI Crow to perform program requirements. The allegation regarding the failure to perform duties was investigated independently by the Office of Inspections.

Due to the serious nature of these allegations, I immediately upon learning of the allegations began directed an internal fact finding investigation into the validity of the allegations. Upon conclusion of the preliminary fact finding, I consulted my local legal counsel and Office of Inspections. I then forwarded the initial fact finding report to my Areas Director requesting the Management Inquiry Board assistance to investigate the items addressed in our fact finding report. We became aware in August 2008 that your office had referred the allegations back to TSA DFW for action.

The initial fact finding report identified non-compliance with our Regulatory Activities Plan (RAP) under AFSD Zagloul's and Crow's leadership. Upon learning of the lack of compliance in May 2008, I immediately formulated a corrective action plan to address the items where we were not in compliance. I am pleased to inform you that by the end of July 2008, TSA DFW had met all requirements for the RAP for the first three quarters of the Fiscal Year and subsequently we met all 4<sup>th</sup> quarter RAP requirements.

When I addressed not only the performance related issues but also that we were looking into the hostile workplace allegations with Zagloul and Crow, both gentlemen immediately elected to take leave and subsequently retire from federal service.

I then directed AFSD for Operations, Michael Donnelly, to have an independent third party investigate the allegations of the hostile workplace created by AFSD Zagloul and STSI Crow. AFSD Donnelly coordinated through my direction with the FSD at El Paso International Airport who offered the assistance of his AFSD for Law Enforcement, Gilbert Guaderrama.

AFSD Guaderrama interviewed all Transportation Security Inspectors (TSIs) that reported to STSI Crow and his supervisor AFSD Zagloul concerning the hostile workplace allegations. The results of the independent Administrative Inquiry were that the actions of Zagloul and Crow were inconsistent with TSA Management Directive 1100.73-5., Employees Responsibilities and Conduct which prescribes the workplace standards.

I believe that my actions clearly demonstrate that these allegations were investigated in an aggressive manner and I have appropriately corrected this environment through the selection of new leadership within the TSA DFW Inspections program. Additionally, upon learning of the allegations in May 2008, I met with all Transportation Security Inspectors and advised that as their FSD, I always maintain an "open door" policy and that I expect everyone no matter what the position to uphold the principles of the TSA Model Workplace to treat others appropriately and with respect. I let the entire group know that any behavior outside of my expectations on how we treat each other and the agency would not be tolerated and would be addressed appropriately. I believe that the work environment has changed to a group of motivated professionals working together to meet our dynamic mission under the direction of positive effective leadership.

We consider this matter closed.

Please advise if you require additional information.

**ATTACHMENT 33**

**Attachment 33**

# SENSITIVE SECURITY INFORMATION

U.S. Department of Homeland Security  
Arlington, VA 22202



Transportation  
Security  
Administration

## Interoffice Memorandum

TO: Chief Counsel

FROM: K. David Holmes, Jr.   
Assistant Administrator, Office of Inspection

DATE: NOV 25 2008

SUBJECT: Report of Investigation I080315, Possible Violation of Security Directives  
Dallas-Fort Worth International Airport (DFW)

The above-referenced Report of Investigation is provided for your official use.

cc: Administrator  
Deputy Administrator  
 Assistant Administrator, Security Operations  
 Assistant Administrator Transportation Sector Network Management  
 Department of Homeland Security, Office of General Counsel  
 U.S. Office of Special Counsel

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www.tsa.gov

Attachment for:  
Assistant Administrator Lee Kair, Office of Security Operations  
Assistant Administrator John Sammon, Transportation Sector Network Management

Office of Special Counsel  
Whistleblower Disclosure  
Dallas-Fort Worth  
OI #1080315

The following additional issues were discovered during the investigation:

During the course of the investigation, multiple issues were discovered that OI felt should be forwarded to the appropriate assistant administrators for response.

The issues are as follows:

1. A lack of consistency by the air carriers in their self-inspections regarding [REDACTED] which could be a national issue causing a security vulnerability. Is the lack of consistency due to a lack of clarification regarding the definition of [REDACTED] inspection? Can TSA do something to make this less likely to happen in the future?
  - The supporting documentation is:
    - i. Attachment #12 – a review of [REDACTED] aircraft revealed [REDACTED]
    - ii. Attachment #7, (pages 4-6, and 21-27 in attached affidavit) give a summary of the contact with HQ and supports the contacts with e-mails from early 2006 advising HQ that multiple air carriers were not [REDACTED]
    - iii. Attachment #7, pages 5-6, and 64-67, showing [REDACTED] was not inspecting the [REDACTED]
    - iv. Attachment #7, pages 71-72, [REDACTED] replied stating they had no procedure for inspecting the [REDACTED] and they had never been challenged on the adequacy or completeness of their self-inspections. This is dated January 14, 2008.
    - v. Attachment #7, page 6, shows resistance, in May/June 2008, by both [REDACTED] regarding the required search [REDACTED]
    - vi. Attachment #7, page 78 shows the [REDACTED] station manager, dated May 2008, indicating [REDACTED] has an approved search plan and that [REDACTED] is not on the search plan, and they will not be searching [REDACTED]

- vii. Attachment #1 shows an e-mail from [REDACTED] station manager, dated June 2008, asserting that the [REDACTED]
- viii. Attachment #7, pages 4, and 27 indicated that in 2006, [REDACTED] was not compliant regarding [REDACTED]
- ix. Attachment #7, page 5, 6, 71-72, Toth indicated he has boarded multiple inbound aircraft and seen that many air carriers are not consistent in their self-inspections, and this is happening nationwide; not just in DFW. Toth is often told that no one else has ever told them they needed to conduct the searches [REDACTED]
- x. Attachment #5 – e-mail from Deputy Director Chris Santoro summarizing a meeting in which the possibility that the problem could be a “definitional” issue. There were various other TSIs at DFW who indicated they did not require certain air carriers (those that claimed the [REDACTED])  
[REDACTED] The TSIs did not require the air carrier to prove that the [REDACTED]

- 2. Is this a national issue as described by the complainant?
  - There are multiple e-mails and other forms of correspondence with multiple air carriers indicating that in 2008, they are not and have not ever inspected these areas of the air craft.
- 3. When the DFW TSIs requested assistance from the PSIs at Headquarters (HQ), they received differing opinions on the same subjects. Can TSA do something to keep this from happening?
  - The supporting documentation is:
    - i. Attachment #14 – affidavit and attached e-mail showing PSI Robert Vogt and PSI Robert Glover providing multiple and differing responses regarding the requirement [REDACTED]
    - ii. Attachment #7, page 77-81 show additional comments from Branch Chief Steve Jenkins, Transportation Sector Network Management (TSNM).
- 4. PSIs Robert Glover and Robert Vogt received e-mail traffic dated May 2008, in which the [REDACTED] station manager advised that they have an approved aircraft search program that does not include [REDACTED] [REDACTED] also made similar assertions. It is 2008 and the inspection of the [REDACTED] has been a requirement since 2003. The questions is did anyone at HQ raise this as a possible concern?
  - The supporting documentation is:
    - i. Attachments 1, 4, 7, 14 – In these attachments Glover was included in multiple additional e-mails in which the TSIs described the [REDACTED] and provided pictures of the [REDACTED] for reference. Glover and Vogt initially agreed with the station manager, but then after additional e-mail traffic, the PSIs at HQ agreed [REDACTED] Glover acknowledged that the air carriers interpret the definitions of [REDACTED]

- [REDACTED] differently, and they also claim that the [REDACTED]
- ii. Attachment #5 – the definition of [REDACTED] was discussed as something that is not uniformly defined by the air carriers.
  - iii. Attachment #4 – PSI Glover indicated that some air carriers consider the [REDACTED]

1. Has TSA required the air carriers to “prove” that the [REDACTED] is a [REDACTED] or to prove that the [REDACTED] requires a [REDACTED]

5. During a meeting with TSNM in July 2008, the search plan for [REDACTED] was requested by Branch Chief Steve Jenkins and it was discovered that the approved search plan was dated 2003 (Attachment #4).

- Concerns:

- i. How many other air carriers have outdated search plans?
- ii. The amendment covering the requirement [REDACTED] [REDACTED] was dated August 2004, which would mean that [REDACTED] does not inspect their [REDACTED]

**ATTACHMENT 34**

**Attachment 34**

# SENSITIVE SECURITY INFORMATION



## MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: <input type="checkbox"/> Personal Interview <input type="checkbox"/> Telephone Interview <input type="checkbox"/> Records Review <input checked="" type="checkbox"/> Other	Date and Time: December 16, 2008
Activity or Interview of: Receipt of Memorandum from Assistant Administrator Lee Lair Security Operations and Assistant Administrator John Sammon Transportation Sector Network Management Transportation Security Administration	Conducted by: Special Agent Stacey L. Saunier  Location of Interview/Activity: OI/IID Arlington, VA

Subject Matter/Remarks

Pursuant to a request from Assistant Administrator K. David Holmes, Office of Inspection, Assistant Administrator Lee Kair and Assistant Administrator John Sammon provided the attached memorandum.

Case Number: 1080315	Case Title: Possible Violation of Security Directive DFW- Regulatory
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Revised February 28, 2006

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SENSITIVE SECURITY INFORMATION

U.S. Department of Homeland Security  
601 South 12<sup>th</sup> Street  
Arlington, VA 22202



Transportation  
Security  
Administration

DEC 16 2008

INFORMATION

MEMORANDUM FOR: K. David Holmes, Jr.  
Assistant Administrator  
Office of Inspection

FROM: John P. Sammon   
Assistant Administrator  
Transportation Sector Network Management

Lee R. Kair   
Assistant Administrator  
Security Operations

SUBJECT: Reply to Report of Investigation 1080315, Possible Violation of  
Security Directives, Dallas-Fort Worth International Airport  
(DFW)

This is in response to an Office of Inspection memo dated November 25, 2008, regarding the above referenced Report of Investigation.

Issue 1. Can the Transportation Security Administration (TSA) address inconsistencies in various air carriers' [REDACTED] search plans? Could confusion over definitions cause of the inconsistency?

Security programs should be amended to account for the various types of operations used by the aviation industry. In the case of carrier specific aircraft search plans, there are multiple series, models and configurations of aircraft resulting in hundreds of combinations [REDACTED]. The use of carrier specific search plans has limitations including the burden on Transportation Security Inspectors (TSIs) to inspect to various criteria and the Principal Security Inspectors (PSIs) keeping the plan generic enough while remaining feasible and effective. With new aircraft routinely being placed into service and aircraft interiors constantly being upgraded the use of individual carrier plans is not appropriate.

TSNM has assigned a PSI team to take on a collateral assignment to develop, in coordination with a TSI Team, an Aircraft Operator Standard Security Program (AOSSP) Change to Chapter 12 to address the consistency concerns, clarify definitions, as well as

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incorporate several other issues raised since the rewrite was issued in 2006. This will not result in a lowering of security measures, but rather will establish a common understanding among the operators and TSIs.

Issue 2. Is this a national issue as described by the complainant?

There is no indication this event is a national issue. To address differing interpretations of the aircraft search requirement:

- Each PSI will be directed to contact his/her assigned carriers to review the AOSSP and guidance documents to ensure the carrier's understanding of the element's application is consistent with TSA's intention.
- Both the Office of Security Operations (OSO) and the Office of Transportation Sector Network Management (TSNM) will review all aircraft search guidance currently posted to the webboard and update, if necessary.
- The proposed change to Chapter 12 will be expedited.
- Scheduled dialogue between OSO (Compliance), TSNM (Commercial Airlines), and the Office of Global Strategies (OGS) will be established (described response addressing Issue 3).

Once these measures are in place, a determination will be made if an issue still exists. OSO will review the requirement to direct a Special Emphasis Inspection (SEI) which will include carrier searches [REDACTED] SEIs provide specific guidelines and direction for inspectors to follow. This allows TSA to determine the regulated party's compliance level.

Issue 3. Can TSA prevent TSIs from receiving differing opinions from PSIs?

There are close to 1,500 inspectors and 14 PSIs each assigned 5 carriers many with worldwide operations. The TSIs will submit inquiries through their established point of contact in the Office of Compliance or through the OSOINSP email inbox which was created for this purpose.

As a result of this investigation, TSNM and OSO have established a process to speak in a collaborative voice and avoid differing responses/interpretations that addresses both TSI and air carrier questions and concerns. For routine inquiries involving general national policy implications:

TSIs will submit their questions to the OSOINSP email inbox.  
PSIs will submit air carrier questions to same inbox.

On a weekly basis, or more frequently as needed, members of the OSO (Compliance), TSNM (Commercial Airlines Division), the Office of Chief Counsel, and OGS will meet to discuss and resolve the issues submitted. Answers will be formulated and posted to the

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respective webboards. All entities will be relying on the same set of responses to determine compliance.

OSO will track the questions on a subject and station basis. During the weekly meeting the tracking tool will be reviewed to determine whether a problem exists beyond the originator's location which may indicate a regional or national issue.

Of course, urgent or emergency carrier specific issues would still be handled directly between the TSI and PSI. The OSO/Office of Compliance will be briefed for awareness.

Issue 4. When air carriers objected [REDACTED] did anyone at Headquarters raise this as a concern?

The carrier is not the entity that determines [REDACTED] as a screening requirement. The TSI contacted the PSI directly who assisted in getting their assigned carrier back into compliance with the inspection requirement. The PSI's involvement typically occurs when the TSI's progressive enforcement actions fail to correct a deficiency. In this instance, the required reports of noncompliance were not reaching Headquarters. The process changes described herein are intended to resolve that process issue.

Issue 5. What is the status of the out-of-date aircraft search plans?

As described in Issue 1, carrier specific plans have been shown to be impractical for this type of requirement. The AOSSP team will ensure all areas covered in search plans are incorporated into Chapter 12 of the AOSSP.