



TSA SECURE FLIGHT

Frequently Asked Questions (FAQ) • August 2009

Secure Flight is a program implemented by the Transportation Security Administration (TSA) to check passenger identities against federal watch lists. The purpose is to reduce the incidence of false positives for passengers who pose no threat to national security and prevent individuals listed on the federal watch lists (commonly known as the No-Fly list) from passing through airport security.

WHEN DOES THIS GO IN TO EFFECT?

Since May 15, 2009, all domestic flight passengers must provide the airline with their full legal name as it appears on the form of government-issue photo identification they intend to use at the airport. Beginning August 15, 2009, all domestic flight passengers will also be required to provide the airlines with their birth date and gender. For international flights, airlines will not be required to submit full legal name, date of birth, and gender until October 31, 2009. Airline carriers are already beginning to implement these procedures before the required deadlines as their systems become capable of accepting the required information.

WHY ARE THEY NOW ASKING FOR GENDER WHEN I MAKE A PLANE RESERVATION?

TSA believes that matching full legal name, date of birth, and gender will decrease the likelihood that a person is accidentally misidentified as a person on the federal watch list. They say this is intended to make things easier for airline passengers by limiting the incidence of false positives when checking the passenger names against the federal watch list.

WHAT IF MY DRIVER'S LICENSE DOESN'T MATCH MY PASSPORT? WHICH ONE SHOULD I USE?

You should submit the name, date of birth, and gender as it appears on the form of identification you intend to use at the airport. If you have different names on different documents, you should ensure that the document you intend to use at the airport reflects the name you listed when booking your flight.

This potentially becomes difficult if you have transitioned but your identity documents reflect an old gender marker. In this case, you may choose to submit the gender marker consistent with your gender identity so that the ticket agent is less likely to notice an inconsistency between your submitted gender and your perceived gender expression. Alternatively, you may choose to submit the gender marker indicated on your identity documents to avoid inconsistencies. We are unsure how Secure Flight will be implemented, and we therefore recommend that you carefully consider the options and submit the information that you are most comfortable with.

At this time, the Secure Flight Program does not include checking passenger data against state driver's license databases, Social Security records, or anything other than the government-issued identification you bring to the airport. The purpose of this program is solely to identify individuals on federal watch lists and eliminate false positives with those lists, not to verify the identity or personal information of travelers.

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WILL A GENDER MARKER BE WRITTEN ON MY TICKET?

The information you give to the airline should not appear on your ticket because the ticket format is uniform both nationally and internationally. In practice, however, airlines may use the information for any purpose they desire, and may be able to find other ways to include gender information (such as adding the title “Mr.,” “Ms.,” or “Mrs.”) on the ticket. Please let us know if this is happening to you so we can work with the airline to resolve the problem.

WHAT IF I GET STOPPED AT AIRPORT SECURITY?

You should not be stopped by airport security because of your gender marker or gender presentation. The Secure Flight program does not change any of the standard airport security regulations as all database checks are done before a boarding pass is issued. If a passenger is a potential match on the watch list, they will be further screened before they receive a boarding pass. No TSA security checkpoint procedures have changed. Please contact us if you have been subject to secondary screening by TSA because of a gender marker issue so that we can work with TSA to prevent it from happening in the future.

ARE THERE UNINTENTIONAL RESULTS I SHOULD BE WORRIED ABOUT?

Yes. TSA requires that the booking agents, airlines, travel agents, or any other person handling travel data for flight passengers collect full legal name, date of birth, and gender for each passenger. TSA does not collect this information directly. While TSA has strict federal procedures for the handling of private information once that information is provided to TSA there is no restriction on third-party use of collected data. As such, airlines, travel agents, and other trip organizers may use the information as they desire. They may choose to simply disregard the information, save it in a database, or make use of it in some way. This will make it harder for anyone who flies pre-transition or during transition to keep their transgender identity private in the future.

Also, gender information may be incorrectly categorized in the first place, leaving potential documentation inconsistencies and hassles at the airport. This is especially true in any instance in which the passenger does not fill out the documentation themselves (such as when they are booking a flight in person or through a travel agent). In these situations, the non-passenger booking the flight on behalf of the passenger is unlikely to actually ask which gender marker should be placed on the form. Instead, they are likely to make an independent assessment of the appropriate gender marker based on their own perception of the passenger’s gender expression, name, or voice. Some airlines will also retain information you’ve input in the past and auto-fill certain categories when booking flights (such as through a frequent flyer account), which may then auto-fill incorrect information. Frequent flyer program participation may be impacted if the name on your program enrollment differs from the information you use to book your tickets.

If possible, book your flights yourself so that you may input your own full legal name, date of birth, and gender information, or work with a trusted travel agent to ensure that the information is communicated correctly.

NCTE is working in coalition with privacy organizations to ensure that TSA’s policies do not cause additional delay or difficulty for transgender travelers. If you encounter difficulties at the airport because of your gender expression or transgender status, please contact NCTE at 202-903-0112 so that we can work with TSA to prevent the problem for occurring in the future.

**Additional background information on Secure Flight is available from The Identity Project:
http://www.papersplease.org/sf_faq.html**