



Homeland Security

The following document was received by the DHS Privacy Office on behalf of the DHS Data Privacy and Integrity Advisory Committee.

Trevor Shaw
Director General, Audit and Review Branch
Office of the Privacy Commissioner, Canada
Background Materials:
[Questions to Transport Canada on No Fly](#)

For more information please visit: www.dhs.gov/privacy or email the DHS Privacy Office: privacy@dhs.gov or the DHS Data Privacy and Integrity Advisory Committee: privacycommittee@dhs.gov.

Additional Contact Information:

Data Privacy and Integrity Advisory Committee
The Privacy Office
U.S. Department of Homeland Security
Washington, DC 20528
Telephone: 571-227-3813
Fax: 571-227-4171



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Questions submitted to Transport Canada, regarding plans for a "no-fly list"

1. What studies, if any, has the department carried out to demonstrate that advance passenger information will be useful in identifying high-risk travelers?
2. Generally, what are the governance and control mechanisms that will influence the operation of a "no-fly list" program?
3. What are the personal data elements necessary for TC to confirm the identity of an individual for inclusion on the list?
4. What will be the specific selection criteria for adding names to the "no-fly" list?
5. How will these criteria be weighted by importance?
6. Will all individuals with a criminal record have their names placed on the list?
7. What specific crimes will warrant an individual's inclusion on the list?
8. Will all individuals identified as being wanted on a warrant be included on the list?
9. What are the specific warrants that would lead to an individual being included on the list?
10. Will names be added to the list based on the assessment of the individual's threat to "transportation security"?
11. Will the decision to list the individual be based on the definition of "threats to the security of Canada" as included in subsection 2(c) of the *CSIS Act*?
12. Will names be added to the list based on the definition of "terrorist activity" as contained in the consequential amendment to the *Criminal Code*, with the enactment of the *Anti-terrorist Act*?
13. Will TC disclose the names or other personal information related to individuals on the no-fly list to other organizations within or outside Canada?
14. If yes, what are the names of the organizations and the purpose of each of these disclosures?
15. Under what specific legal authorities will such disclosures be made?
16. What organizations will assess and make recommendations about names of individuals to be added to the TC list?
17. Under what authority will TC disclose personal information about individuals to its partners for assessment and recommendations purposes about the individuals' possible inclusion on the "no-fly" list?
18. Will TC independently verify the names and other information provided by partners, such as the RCMP and CSIS, to ensure that the information is accurate, complete, and up-to-date and warrants inclusion on the list?
19. Will any names be added to the TC list based on US "no-fly" lists or other US information? If so, what are the sources?
20. Will TC verify the US information, to ensure it relates to an identifiable individual, that it is accurate, complete, up-to-date, and meets the department's selection criteria for a high-risk traveler?
21. Does the Minister of Transport have the final authority to approve additions and deletions to the TC list?
22. What steps will TC take to ensure passenger and crew information received from airlines, travel agents and automated ticket kiosks is accurate, complete, and up-to-date and relates to identifiable individuals?
23. What steps will TC take to monitor the personal information placed on the list to ensure that it is still accurate, complete and up-to-date, as well as to verify the continued listing of the individual

based on the original selection criteria?

24. What will be the retention and disposal regime for advanced passenger and other "no-fly" related personal information?

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