

**From:** [Ruggeri, Amy <TSA OCC>](#)  
**To:** [Wheaton, Kelly <TSA OCC>](#); [Whalen, Mary Kate <TSA OCC>](#)  
**Cc:** [Flory, Gillian <TSA OCC>](#); [Dean, Juanita <TSA OCC>](#); [Bauer, John D <TSA OCC>](#); [Itami, Brian <TSA OCC Law Clerk>](#); [Gallun, Eric](#); [Prosnitz, Susan <TSA OSPIE>](#)  
**Subject:** RE: Combating Racial, Ethnic, and Religious Profiling  
**Date:** Thursday, September 27, 2012 5:06:33 PM

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(b)(5) Also,  
there are some typos.

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**From:** Wheaton, Kelly <TSA OCC>  
**Sent:** Wednesday, September 26, 2012 8:24 AM  
**To:** Whalen, Mary Kate <TSA OCC>; Ruggeri, Amy <TSA OCC>  
**Cc:** Flory, Gillian <TSA OCC>; Dean, Juanita <TSA OCC>; Bauer, John D <TSA OCC>; Itami, Brian <TSA OCC Law Clerk>; Gallun, Eric; Prosnitz, Susan <TSA OSPIE>  
**Subject:** FW: Combating Racial, Ethnic, and Religious Profiling

Mary Kate, Amy,

OTWE has send us the shift brief and job aid that OSO wants to use to educate TSOs and BDOs about improper profiling. OTWE is asking for one final look and clearance. Can you please take a look and see if you are still ok with the language of the three documents?  
Several comments:

1. Below is Sarah Tauber's comment about the documents. Sarah is currently the acting head of the BDO program.
2. TWE's program analyst tells me that the only changes from what we reviewed on Friday, 14 September, and the attached is as follows:

(b)(5)

(b)(5)

Kelly D. Wheaton

Deputy Chief Counsel, Enforcement

571 227 (b)(6)

<< File: Combating Profiling -SHIFT BRIEF\_V1 0.pdf >> << File: Combating Profiling -SHIFT BRIEF\_V1.1.pdf >> << File: OSO Comms - Combating Profiling - 9-24-12.docx >> << File: Job\_Aid\_Profiling\_V\_1 0.pdf >>

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**From:** Tauber, Sarah  
**Sent:** Monday, September 24, 2012 4:59 PM  
**To:** Mokhtar, Engie ; Heffernan, Claire M.; Wheaton, Kelly <TSA OCC>  
**Cc:** Buzzell, Jeremy; Robertson, LeEtte; Hudson, Bryan W.; King, Jennifer L; Lozito, Fran; Guffey, Chuck; Prosnitz, Susan <TSA OSPIE>; Kent, Linda <TSA OCC>  
**Subject:** RE: Combating Racial, Ethnic, and Religious Profiling

Engie,

In the Shift Brief,

(b)(5)

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**From:** Mokhtar, Engie  
**Sent:** Monday, September 24, 2012 4:09 PM  
**To:** Heffernan, Claire M.; Wheaton, Kelly <TSA OCC>; Tauber, Sarah  
**Cc:** Buzzell, Jeremy; Robertson, LeEtte; Hudson, Bryan W.; King, Jennifer L; Lozito, Fran; Guffey, Chuck  
**Subject:** Combating Racial, Ethnic, and Religious Profiling  
**Importance:** High

Please see the final versions attached. Current password applies. Prior to sending out the attached documents to the field we are looking for final sign off/concurrence from OCC, OCRL, and OSC. It's taken a while for all parties to review, edit and approve these 2 documents, this is a chance for a final check - thanks The due date for completion is showing as 11/16 – unless OSO would like to set a different date.

We incorporated all stakeholder comments as much as possible. Please let us know if there are any outstanding issues.

**Engie Mokhtar << File: Combating Profiling - SHIFT BRIEF V1 1 - Sept 2012.pdf >>  
<< File: OSO Comms - Combating Profiling - 9-24-12.docx >> << File:  
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**Program Analyst**

**OTWE-Specialized Training**

**SPOT/BAT**

**E2-318N**

**601 S. 12th Street**

**Arlington, VA 22202**

**O: 571-227-(b)(6)**

**C: (b)(6)**

***"See the vision. Conquer the goals. Achieve perfection." ~ Sgt. Nathan Meyer***

**From:** [Wheaton, Kelly <TSA OCC>](#)  
**To:** [Whalen, Mary Kate <TSA OCC>](#); [Ruggeri, Amy <TSA OCC>](#)  
**Cc:** [Flory, Gillian <TSA OCC>](#); [Dean, Juanita <TSA OCC>](#); [Bauer, John D <TSA OCC>](#); [Itami, Brian <TSA OCC Law Clerk>](#); [Gallun, Eric](#); [Prosnitz, Susan <TSA OSPIE>](#)  
**Subject:** RE: Combating Racial, Ethnic, and Religious Profiling  
**Date:** Wednesday, September 26, 2012 2:44:20 PM

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Thanks.

Kelly D. Wheaton

Deputy Chief Counsel, Enforcement

571 227-(b)(6)

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**From:** Whalen, Mary Kate <TSA OCC>  
**Sent:** Wednesday, September 26, 2012 2:42 PM  
**To:** Wheaton, Kelly <TSA OCC>; Ruggeri, Amy <TSA OCC>  
**Cc:** Flory, Gillian <TSA OCC>; Dean, Juanita <TSA OCC>; Bauer, John D <TSA OCC>; Itami, Brian <TSA OCC Law Clerk>; Gallun, Eric; Prosnitz, Susan <TSA OSPIE>  
**Subject:** RE: Combating Racial, Ethnic, and Religious Profiling

No additional comments or edits from me Kelly.

Mary Kate Whalen

Deputy Chief Counsel for General Law

Office of the Chief Counsel

Transportation Security Administration

(571)227-(b)(6) (office)

(b)(6) (Blackberry)

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**Sent:** Wednesday, September 26, 2012 8:24 AM  
**To:** Whalen, Mary Kate <TSA OCC>; Ruggeri, Amy <TSA OCC>  
**Cc:** Flory, Gillian <TSA OCC>; Dean, Juanita <TSA OCC>; Bauer, John D <TSA OCC>; Itami, Brian <TSA OCC Law Clerk>; Gallun, Eric; Prosnitz, Susan <TSA OSPIE>

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(b)(5)

Kelly D. Wheaton

Deputy Chief Counsel, Enforcement

571 227-(b)(6)

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**From:** Tauber, Sarah  
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**To:** Mokhtar, Engie ; Heffernan, Claire M.; Wheaton, Kelly <TSA OCC>  
**Cc:** Buzzell, Jeremy; Robertson, LeEtte; Hudson, Bryan W.; King, Jennifer L; Lozito, Fran; Guffey, Chuck; Prosnitz, Susan <TSA OSPIE>; Kent, Linda <TSA OCC>  
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Engie,

In the Shift Brief,

(b)(5)

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**Sent:** Monday, September 24, 2012 4:09 PM  
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**Cc:** Buzzell, Jeremy; Robertson, LeEtte; Hudson, Bryan W.; King, Jennifer L; Lozito, Fran; Guffey, Chuck  
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**601 S. 12th Street**

**Arlington, VA 22202**

**O: 571-227- (b)(6)**

**C: (b)(6)**

***"See the vision. Conquer the goals. Achieve perfection." ~ Sgt. Nathan Meyer***

**From:** [Bester, Margot <TSA OCC>](#)  
**To:** [Wheaton, Kelly <TSA OCC>](#)  
**Cc:** [Flory, Gillian <TSA OCC>](#); [Dean, Juanita <TSA OCC>](#); [Ruggeri, Amy <TSA OCC>](#); [Bauer, John D <TSA OCC>](#); [Whalen, Mary Kate <TSA OCC>](#); [Itami, Brian <TSA OCC Law Clerk>](#); [Gallun, Eric](#); [Prosnitz, Susan <TSA OSP/E>](#)  
**Subject:** RE: Combating Racial, Ethnic, and Religious Profiling  
**Date:** Monday, October 1, 2012 3:10:23 PM

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Ok.

Sent with Good (www.good.com)  
Margot F. Bester  
Principal Deputy Chief Counsel  
Transportation Security Administration  
571-227-(b)(6) (office)  
(b)(6) (cell)

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

**From:** Wheaton, Kelly <TSA OCC>  
**Sent:** Monday, October 01, 2012 02:57 PM Eastern Standard Time  
**To:** Bester, Margot  
**Cc:** Flory, Gillian ; Dean, Juanita ; Ruggeri, Amy ; Bauer, John D ; Whalen, Mary Kate ; Itami, Brian ; Gallun, Eric; Prosnitz, Susan  
**Subject:** RE: Combating Racial, Ethnic, and Religious Profiling

Margot,

OTWE has sent us the final version of the shift brief and memo that OSO wants to use to educate TSOs and BDOs about improper profiling. I have compiled all the comments and would like to send them to OTWE and clear the document. May I do so? The collected comments follow and I've included the documents at the bottom:

We have reviewed the attached documents and have no legal objection subject to incorporation of the following comments:

**Shift brief:**

(b)(5)



(b)(5)

**OSO Comms Memo:**

(b)(5)

Kelly D. Wheaton

Deputy Chief Counsel, Enforcement

571 227 (b)(6)

<<OSO Comms - Combating Profiling - 9-24-12.docx>> <<Combating Profiling -SHIFT  
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**Cc:** Flory, Gillian <TSA OCC>; Dean, Juanita <TSA OCC>; Bauer, John D <TSA OCC>; Itami, Brian <TSA  
OCC Law Clerk>; Gallun, Eric; Prosnitz, Susan <TSA OSPIE>

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Kelly D. Wheaton

Deputy Chief Counsel, Enforcement

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In the Shift Brief, (b)(5)

(b)(5)

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