

Judge: let passengers challenge no-fly list

by [Omar Sacirbey](#) in the [July 23, 2014](#) issue

Muslim Americans and their civil rights allies are celebrating a federal judge's decision ordering the U.S. government to allow passengers on the no-fly list to challenge their inclusion.

Judge Anna J. Brown of the U.S. District Court in Portland, Oregon, ruled on June 24 that the current procedures were unconstitutional and violated the Fifth Amendment's guarantee of due process.

The case stems from a 2010 lawsuit filed by the American Civil Liberties Union on behalf of 13 Muslim plaintiffs who were not allowed to board a plane but never told why.

Many Muslim Americans believe they are disproportionately targeted by the no-fly list, which has been found to include the names of many Americans with names similar to those of real terrorist suspects.

The ruling orders the government to tell the plaintiffs why they were on the list and to give them an opportunity to challenge their inclusion before a judge.

The Department of Homeland Security, which administers the no-fly list, forwarded requests for comment to the Department of Justice, whose spokeswoman Dena Iverson said, "The department is reviewing the decision."

"We hope this serves as a wake-up call for the government to fix its broken watch list system, which has swept up so many innocent people," said Hina Shamsi, director of the ACLU's National Security Project and one of the lawyers who argued the case.

There are an estimated 20,000 people on the no-fly list. People who want to get off the list must file a request with the Department of Homeland Security's Traveler Redress Inquiry Program. According to the ACLU, Homeland Security reply letters do not explain why boarding was denied, nor do they confirm or deny whether a person's name remains on the list. —RNS

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