

Dorsey "Pro Bono" Clients Effect Change in TSA Screening of Native American Religious Items

The Native American Church of North America and its former President Sandor Iron Rope recently entered into a settlement agreement with the Transportation Security Administration ("TSA") that will change how the agency trains its agents regarding the handling of Native American sacred objects. The Native American Church of North America and Mr. Iron Rope brought suit against TSA and several of its agents alleging violations of the Religious Freedom Restoration Act and U.S. Constitution. The claims related to an incident in which Mr. Iron Rope alleged that his sacred items, including an eagle feather fan, were handled in a disrespectful and violent manner by TSA agents during routine screening.

Under the terms of the settlement, the TSA will publish a Job Aid to educate its agents about less intrusive methods for inspecting items and a "Know Before You Go" fact sheet for travelers about screening procedures. The TSA and Native American Church will also collaborate to produce a webinar regarding the handling of Native American sacred items. The Job Aid and webinar will be available to all agents and will be required training for Passenger Support Specialists and Transportation Security Managers at ten airports: Albuquerque, New Mexico (ABQ); Durango, Colorado (DRO); Farmington, New Mexico (FMN); Great Falls, Montana (GTF); Laredo, Texas (LRD); McAllen, Texas (MFE); Minot, North Dakota (MOT); Rapid City, South Dakota (RAP); Sioux Falls, South Dakota (FSD); and San Antonio, Texas (SAT). In addition, the Job Aid alone will be required training for Passenger Support Specialists and Transportation Security Managers at five airports: Denver, Colorado (DEN); Phoenix, Arizona (PHX); Minneapolis-Saint Paul (MSP); Omaha, Nebraska (OMA); and Oklahoma City, Oklahoma (OKC). TSA committed to training new or promoted Passenger Support Specialists and Transportation Security Managers on these matters for four years. TSA also committed to inviting the Native American Church of North America to join TSA's Multicultural Branch Coalition.

Plaintiffs' lead counsel was Forrest Tahdooahnippah, a partner in Dorsey's Intellectual Property Litigation Group. Steve Moore of the Native American Rights Fund and Ray

Related Capabilities

- Indian & Alaska Native

Torgerson of Porter Hedges served as co-counsel. Plaintiffs and their counsel believe that the settlement lays a critical groundwork for improved education, increased sensitivity, and better working relationships between TSA and Native Americans traveling with sacred items.