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Updated Regulations, Credentials Strategy Restrict Weapons in Aircraft Cabins

Amended U.S. Federal Aviation Regulations and smart-card technology to verify the credentials of law enforcement officers should increase airline crewmembers' confidence in passengers' authority to fly armed. International consensus influences restrictions on firearms — in the cabin and in checked baggage — but the experience of the United States shows the difficulty of balancing aviation safety and law enforcement interests.

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FSF Editorial Staff

A comprehensive update to U.S. Federal Aviation Regulations (FARs) that cover many aspects of aircraft operator security and airport security will tighten and clarify the current criteria for passengers authorized to fly armed aboard U.S. commercial airline flights. The U.S. Federal Aviation Administration (FAA) said that the completion of final rules amending FARs Part 107 *Airport Security*, Part 108 *Air Carrier Security* and Part 139 *Certification and Operations: Land Airports Serving Certain Air Carriers* is scheduled to occur by the end of 2000.¹

No incidents have occurred in which U.S. law enforcement officers (LEOs) discharged their firearms in flight, FAA said. Nevertheless, FAA said that aviation safety would be served best by “creating more explicit criteria for law enforcement officers to fly armed and ensuring that they receive appropriate training ... [with] a revised rule to address these issues and create strict criteria for personal control of the weapons and personal behavior while flying armed. ... FAA has been working with the law enforcement community to urge them to ensure that their officers and agents fly armed only when absolutely necessary.”²



A search of the U.S. National Transportation Safety Board (NTSB) accident/incident database, 1982 to the present, found no narratives that mentioned as a cause or factor passengers authorized to fly armed on scheduled U.S. aircraft under FARs Part 121.

Current FARs and proposed FARs require air carriers to screen all persons entering the sterile area of an airport for a “deadly or dangerous weapon, explosive, incendiary, or other destructive substance” through a screening checkpoint and to restrict the carriage of firearms into sterile areas to persons who are required to have the weapons in the performance of their

duties, LEOs traveling armed aboard aircraft and persons specifically authorized under an FAA-approved security program.³

FAA's notice of proposed rulemaking (NPRM) for Part 108 defined a “sterile area” as a portion of an airport defined in an airport security program to which access is controlled by either the inspection of persons or property in accordance with an approved or accepted security program required under FARs Parts 108.105 or 129.25 or an access-control system meeting the requirements of FARs Part 107.205.

Current FARs and proposed FARs similarly prohibit passengers from carrying firearms in the cabins of commercial aircraft and provide specific exceptions. The overarching rationale for such regulations is to protect the traveling public from terrorism, criminal acts of violence and accidental injury or death.

The international context and the factors that have influenced the proposed FARs provide useful insights for cabin safety and security, including crewmembers' methods of interacting professionally with armed LEOs. FAA said that new guidance material, to supersede current FAA Advisory Circular (AC) 108-2 *Security Rules — Carriage of Weapons and Escorted Persons*, will be published soon after the FARs are amended.⁴

FAA's NPRM for FARs Part 108 said, "Since its inception [Jan. 15, 1981], Part 108 has been amended on several occasions, but the rule has never undergone a comprehensive update. ... This proposed action would incorporate both procedures currently in air carrier security programs and new security procedures, in a manner that is intended to allow regulated entities and individuals to understand their responsibilities more readily. ... Through these changes, the FAA hopes to create a more effective mixture of individual and corporate responsibility for complying with security regulations."⁵ The separate NPRM for FARs Parts 107 and 139 contains proposed rules that affect law enforcement and security screening in airports. The two NPRMs also list examples of terrorism and criminal interference with aircraft operations that have influenced security measures since the mid-1980s, and recommendations generated by government audits of security screening programs.

Regarding authorized carriage of weapons, the NPRM for Part 108 said, "The [FAA Aviation Security Advisory Committee (ASAC)] Part 108 Working Group and the ASAC's Carriage of Weapons Task Force recommendations for Part 108 covered subjects such as ... clarification of procedures for the transporting of passengers under armed escort, and elimination of confusion surrounding the circumstances allowing law enforcement personnel to fly armed."⁶

Although some issues had been discussed earlier among the ASAC's 24 member organizations, FAA solicited the committee's formal input to a discussion paper in 1993 and received ASAC consensus recommendations in 1994; some individual organizations' comments differed from the consensus.⁷

The NPRM for Part 108 said, "The revised procedure for carrying weapons aboard aircraft by authorized law enforcement personnel proposed in this section is intended to reduce the number of weapons accessible to passengers aboard aircraft. This notice proposes adopting into Part 108 the ASAC's recommendations to the FAA on this topic that the number of firearms authorized to be carried should be reduced to the minimum necessary for law enforcement personnel to

perform their duties."⁸ (See "Proposed FARs Seek to Balance Aircraft Safety, Public Safety" on page 3.)

The NPRM for Part 108 includes the following changes:

- Introduction of six criteria for the need to have a deadly or dangerous weapon accessible to an LEO aboard an aircraft in connection with performing official duties;
- A more restrictive definition of the state, county and municipal LEOs authorized to fly armed;
- A requirement that an agency's letter of authority to fly armed — which must be presented to air carriers only by state, county or municipal LEOs — be on the agency's original letterhead, with the original signature of an authorizing official at the command level;⁹
- A requirement that LEOs flying armed be current in their training and certification to enforce criminal laws in their jurisdiction;
- A requirement that all LEOs who intend to carry a firearm in an aircraft cabin complete the standard two-hour FAA training package entitled "Law Enforcement Officers Flying Armed" and sign the air carrier's form attesting to their completion of this course before entering a sterile area or boarding the aircraft for a flight;
- A requirement that LEOs may not fly with a weapon accessible to them if they have consumed an alcoholic beverage during the previous eight hours;
- Stricter requirements for an LEO's concealed carry, placement and handling of a weapon inside an aircraft cabin;
- An expanded requirement to use "a locked container that is hard-sided" for any firearm presented to an air carrier for transportation in checked baggage;
- Elimination of current regulations that enable joint FAA and air carrier approval of persons other than LEOs to fly armed (such as armed domestic guards employed in the private sector);
- Elimination of current regulations that enable air carriers to authorize crewmembers or other persons to carry arms on board an airplane for which screening is not conducted; and,
- Transfer of updated regulations and procedures applicable to non-U.S. armed escorts accompanying non-U.S. dignitaries from the FARs to a U.S. government document that is restricted from public disclosure for security reasons (current procedures in AC 108-2 say

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Proposed FARs Seek to Balance Aircraft Safety, Public Safety

[FSF Editorial Note: In August 1997, the U.S. Federal Aviation Administration (FAA) proposed the following amendments to sections of U.S. Federal Aviation Regulations (FARs) Part 108 *Aircraft Operator Security* concerning the carriage of weapons on commercial transport aircraft and related subjects. Donald Cotton, a civil aviation security specialist in FAA's Office of Civil Aviation Security, said, "We would anticipate the final rule to be very similar to the proposal. There are possibilities of changes but we expect that the final rule for Part 108 will be very close to the proposed amendments." FAA said that release of the final rule is scheduled to occur by the end of 2000.]

[U.S.] Department of Transportation
Federal Aviation Administration
14 Code of Federal Regulations Part 108
Aircraft Operator Security; Proposed Rule
August 1, 1997

Section 108.213 Carriage of weapons.

- (a) Accessible weapon: Screening conducted. Notwithstanding Section 108.201 ["Screening of persons and property, and acceptance of cargo"], a person may have a deadly or dangerous weapon accessible to him or her while aboard an aircraft for which screening is required, if the following are met:
- (1) The person in possession of the weapon—
 - (i) Is a federal law enforcement officer or a full-time municipal, county, or state law enforcement officer receiving remuneration for his or her services;
 - (ii) Is sworn and commissioned to enforce criminal statutes;
 - (iii) Is currently trained and certified as a law enforcement officer and is armed in the performance of these duties;
 - (iv) Is authorized by the employing agency to have the weapon in connection with assigned duties; and
 - (v) Has completed the training program "Law Enforcement Officers Flying Armed" as required by the FAA.
 - (2) The person having the weapon needs to have the weapon accessible in connection with the performance of his or her duties from the time he or she would otherwise check the weapon in accordance with paragraph (f) of this section until the time it would be claimed after deplaning. The need to have the weapon accessible during the period of time set forth in this paragraph shall be based on one of the following:
 - (i) The provision of protective escort (assigned to principle or advance team).
 - (ii) The conduct of a hazardous surveillance operation.
 - (iii) Prisoner escort, in accordance with Section 108.215 of this part.
 - (iv) Status as an FBI special agent.
 - (v) FAA federal air marshal on mission status.
 - (vi) Law enforcement personnel on official travel required to report to another location, armed and immediately prepared for duty.
 - (3) The air carrier is notified of the flight(s) on which the armed person needs to have the weapon accessible at least one hour, or in an emergency as soon as practicable, before departure.
 - (4) If the armed person is a state, county or municipal law enforcement personnel, the person must present an original letter of authority, signed by an authorizing official from his or her employing agency, confirming the need to travel armed and detailing the itinerary of the travel while armed, and stating that the person has completed the training program "Law Enforcement Officers Flying Armed" as required by the FAA.
 - (5) The armed person identifies himself or herself to the air carrier by presenting bona fide credentials that include clear, full-face picture, signature, and the signature of the authorizing official of service or the official seal of service. A badge, shield, or similar device may not be used as the sole means of identification.
 - (6) The armed person identifies himself or herself and presents a copy of the form required by the air carrier to a crewmember prior to departure.
 - (7) The air carrier—
 - (i) Verifies that the armed person is familiar with its procedures for carrying a firearm aboard its aircraft before the time the person boards the aircraft;
 - (ii) Ensures that the armed person has fully completed and signed a form required by the air carrier prior to boarding or entering a sterile [secure] area which states that the person has completed the training program "Law Enforcement Officers Flying Armed" as required by the FAA;
 - (iii) Ensures that the identity of the armed person is known to each law enforcement personnel and each employee of the air carrier responsible for security during the boarding of the aircraft;
 - (iv) Notifies the pilot-in-command, other appropriate crewmembers, and any other person authorized to have a weapon accessible to him or her aboard the aircraft, of the location of each authorized armed person aboard the aircraft; and
 - (v) Ensures that the information required in paragraphs (a) (3) and (4) of this section is furnished to the flight crew of each additional connecting flight by the ground security coordinator or other designated agent at each location.

Proposed FARs Seek to Balance Aircraft Safety, Public Safety *(continued)*

- (b) Accessible weapon: Screening not conducted. No person may, while on board an aircraft operated by an air carrier for which screening is not conducted, carry on or about his or her person a deadly or dangerous weapon, either concealed or unconcealed. This paragraph does not apply to federal and full-time municipal, county or state law enforcement officers receiving remuneration for their services, who—
- (1) Are sworn and commissioned to enforce criminal statutes;
 - (2) Are currently trained and certified as law enforcement officers and armed in the performance of these duties;
 - (3) Are authorized by the employing agency to have the weapon in connection with assigned duties; and
 - (4) Have completed the training program “Law Enforcement Officers Flying Armed” as required by the FAA, and have notified the air carrier prior to boarding the flight.
- (c) Alcohol. No air carrier may serve any alcoholic beverage to a person having a weapon accessible to him or her nor may such person consume any alcoholic beverage while aboard an aircraft operated by the air carrier. No person may have a weapon accessible if that person has consumed an alcoholic beverage within the previous eight hours.
- (d) Location of weapon. Any person traveling aboard an aircraft while armed must keep their weapon concealed and out of view, either on their person or in immediate reach if carried in any other type of cases, pouch or container. No person shall place a weapon in an overhead storage bin.
- (e) Checked baggage. No air carrier may knowingly permit any person to transport, nor may any person transport or offer for transport, any explosive, incendiary, destructive substance, or a loaded firearm in checked baggage aboard an aircraft. For the purpose of this section, a loaded firearm means a firearm which has a live round of ammunition, or any component thereof, in the chamber or in a magazine or cylinder inserted in the firearm.
- (f) Firearms in checked baggage. No air carrier may knowingly permit any person to transport, nor may any person transport or offer for transport, any unloaded firearm(s) in checked baggage aboard an aircraft unless—
- (1) The passenger declares to the air carrier, either orally or in writing before checking the baggage, that any firearm carried in the baggage is unloaded;
 - (2) The firearm is carried in a container that is hard-sided appropriate for air transportation;
 - (3) The container in which it is carried is locked, and only the passenger checking the baggage retains the key or combination; and
 - (4) The baggage containing the firearm is carried in an area other than the flight crew compartment, that is inaccessible to passengers.
- (g) Military. Paragraphs (a), (b), (d), and (f) of this section do not apply to the carriage of firearms aboard air carrier flights conducted for the military forces of the government of the United States when the total cabin load of the aircraft is under exclusive use by those military forces when the following conditions are met —
- (1) No firearm is loaded and all bolts to such firearms are locked in the safe position; and
 - (2) The air carrier is notified by the unit commander or officer in charge of the flight before boarding that weapons will be carried aboard the aircraft.
- (h) Federal Air Marshals. The requirements of paragraphs (a)(6) and (a)(7) of this section do not apply to federal air marshals performing official duties on a flight.

Section 108.215 Carriage of passengers under the control of armed law enforcement escorts.

- (a) Except as provided in paragraph (e) of this section, no air carrier required to conduct screening under a security program may carry a passenger in the custody of an armed law enforcement escort aboard an aircraft for which screening is required unless, in addition to the requirements in Section 108.213 of this part, the following requirements are met:
- (1) The armed law enforcement escort is required by appropriate authority to maintain custody and control over an individual aboard an aircraft.
 - (2) The agency responsible for control of the prisoner determines whether the prisoner is considered a high risk, that is, an escape risk or charged with, or convicted of, a violent crime, or a [low] risk.
 - (3) The armed law enforcement escort(s) notifies the air carrier at least 24 hours before the scheduled departure, or, if that is not possible, as far in advance as possible of the following —
 - (i) The identity of the passenger to be carried and the flight on which it is proposed to carry the passenger;
 - (ii) Any pre-existing medical conditions of the prisoner generating unusual behavior which may create a security risk to other passengers; and
 - (iii) Whether or not the passenger is considered to be a high risk or a low risk.
 - (4) The armed law enforcement escort(s) arrive at the check-in counter at least one hour prior to the scheduled departure.
 - (5) A high-risk prisoner shall be under the control of at least two armed law enforcement escorts and no other prisoners shall be under the control of those two armed law enforcement escorts.

Proposed FARs Seek to Balance Aircraft Safety, Public Safety *(continued)*

- (6) No more than one high-risk prisoner shall be carried on the aircraft.
 - (7) Except as stated in paragraph (a)(9) of this section, a low-risk prisoner shall be under the control of at least one armed law enforcement escort, and no more than two low-risk prisoners shall be carried under the control of any one armed law enforcement escort.
 - (8) For a flight exceeding four hours' duration, each two [low-]risk prisoners shall be under the control of at least two armed law enforcement escorts, and no more than two low-risk prisoners shall be under the control of any two armed law enforcement escorts.
 - (9) The air carrier is assured, prior to departure, by each law enforcement escort that each passenger under the control of the escort has been searched and does not have on or about his or her person or property anything that can be used as a deadly or dangerous weapon.
 - (10) For each passenger under the control of an armed law enforcement escort, the following requirements shall be met:
 - (i) The passenger under escort shall be restrained from full use of hands by an appropriate device which is then attached to a separately locked waist restraint device that provides for minimum movement of the person's hands. Leg irons shall not be used;
 - (ii) The passenger under escort shall be boarded before any other passengers when boarding at the airport where the flight originates, and deplaned at the destination after all other deplaning passengers have deplaned; and
 - (iii) The passenger under escort shall be seated in a seat that is neither located in any passenger lounge area nor located next to or directly across from any exit and, when practicable, the air carrier should seat the prisoner in the rear-most seat of the passenger cabin.
 - (11) An armed law enforcement escort having control of a passenger shall be seated between the passenger and any aisle.
- (b) No air carrier operating an aircraft under paragraph (a) of this section shall —
- (1) Serve food or beverage or provide metal eating utensils to a passenger under the control of a law enforcement escort while aboard the aircraft unless authorized to do so by the armed law enforcement escort.
 - (2) Serve the passenger under the control of an armed law enforcement escort any alcoholic beverage while aboard the aircraft.
 - (c) Each armed law enforcement escort under the provisions of paragraph (a) of this section shall, at all times, accompany the passenger under the control of the escort and keep the passenger under surveillance while aboard the aircraft.
 - (d) No passenger under the control of an armed law enforcement escort shall drink alcoholic beverages while aboard the aircraft.
 - (e) This section does not apply to the carriage of passengers under voluntary protective escort, or under escort by unarmed law enforcement officers.

Section 108.217 Transportation of Federal Air Marshals.

- (a) Each air carrier shall carry federal air marshals, in the number and manner specified by the [FAA] administrator, on each scheduled passenger operation, public charter passenger operation, and private charter passenger operation designated by the administrator.
- (b) Each federal air marshal shall be carried on a first-priority basis and without charge while on official duty, including positioning and repositioning flights. When a federal air marshal is assigned to a scheduled flight that is canceled for any reason, the air carrier shall carry that marshal without charge on another flight as designated by the administrator.
- (c) Each air carrier shall assign the specific seat requested by a federal air marshal who is on official mission status.
- (d) Each air carrier shall restrict any information concerning the presence, seating, names and purpose of federal air marshals at any station or on any flight to those persons within operational need to know.
- (e) Each air carrier shall permit any FAA special agent, including federal air marshals, to observe the search of the aircraft prior to the departure.♦

that FAA and air carrier authorizations are arranged through a formal request from a national government to the U.S. Department of State).¹⁰

Thus, FAA's proposed regulations specifically restrict anyone who is not an LEO from flying armed in the cabin of a commercial passenger aircraft. Amended FARs Part 108 also will prohibit from flying armed reserve police officers, special deputies and similar auxiliary LEOs who may be authorized in their jurisdiction to carry weapons and enforce laws in a

state, county or municipal jurisdiction, but who typically do not have the current training or experience required of full-time LEOs.

Donald Cotton, a civil aviation security specialist in FAA's Office of Civil Aviation Security, said, "In current regulations, there are provisions for passengers other than LEOs to fly armed if authorized by the certificate holder and the FAA administrator. There is currently not anyone authorized and there have not been situations where armed domestic guards

have been approved. This was written in the current FARs as a provision that would allow for armed domestic guards to seek authorization. FAA has had requests as recently as the mid-1990s by private security guards for individuals. Those requests were denied. In tightening the regulations, we make it very clear that only LEOs routinely would be allowed to fly armed and that individual LEOs have to be in a limited category.

“For [non-U.S.] armed escorts traveling with [non-U.S.] dignitaries in the United States, the effects of the proposed FARs will be minimal or none. For [non-U.S.] armed protection details for [non-U.S.] dignitaries, a procedure is in place in a restricted document to authorize these escorts to fly armed, but the procedure is not used frequently. There has to be air carrier permission and the crewmembers must be briefed.”¹¹

Public comments on the NPRM for Part 108 predominantly focused on the carriage of weapons issues. The largest category of commenters comprised federal law enforcement agencies and federal LEOs. Typical commenters said that new criteria for the need to fly armed would require more federal LEOs to transport their weapons in checked baggage, and would subject these weapons to greater risk of loss, delay or theft. They said that such a scenario would leave a typical federal LEO unarmed temporarily and unable to perform required duties because agency policies typically allow the LEO to carry only a weapon with a specific serial number, which was used in the LEO’s firearms qualification.

Other commenters said that they objected to the provisions for special agents of the U.S. Federal Bureau of Investigation (FBI) and FAA federal air marshals (FAMs) to fly armed. Several agencies said that they were unaware of any incident involving their LEOs that had affected the safety or security of an aircraft environment.

FAA Historically Restricted Armed Passengers in Aircraft Cabins

The FARs historically have restricted passengers flying armed because discharging a weapon in flight could result in death, injury and aircraft damage sufficient to cause an accident. Thus, passengers flying armed have received warnings about specific risks of using weapons in the aviation environment.

Appendix 1 to AC 108-2, recommending language for air carriers to use in briefing LEOs flying armed, said, “Our flight attendants and pilots have been instructed how to handle passenger disturbances without assistance from other passengers and do not expect your help. Discharge of a firearm aboard an aircraft could cause a situation far more dangerous than the original disturbance — and this includes hijacking. If the pilots were accidentally disabled, the flight could end in disaster. Also, behind the walls, under the floor and above the ceiling there are many fuel lines, control cables,

electrical wires and hydraulic systems essential to safe flight and all subject to damage or destruction by a stray bullet or ricochet.”

Cotton said that FAA has conducted research into the effects of discharging firearms inside the aircraft cabin of a medium-size transport passenger aircraft and the results have influenced FAA’s training package.

FAA said, “The safety implications of discharging a firearm in flight are well known by the law enforcement community, as are the restrictions against using a firearm in flight. [LEOs] are instructed not to intervene in situations that may arise in a commercial aircraft cabin, except under specific request from the pilot-in-command.”¹²

The current FARs Part 108 was designed to balance aviation safety interests and law enforcement interests through the following requirements for armed persons aboard an airplane for which the air carrier must conduct screening:

- The armed person must be an official or employee of the federal government, or a state or political subdivision of a state, or a municipality and be authorized by his or her agency to have the weapon;
- Alternatively, the armed person must be authorized to have the weapon by the air carrier and by FAA, and have completed successfully a course of training in the use of firearms acceptable to FAA;
- The armed person must need to have the weapon accessible in connection with the performance of his or her duty from the time he or she otherwise would check the weapon in baggage until the time that the weapon would be returned to him or her after deplaning;
- The person must notify the air carrier of his or her intention to fly armed on a specific flight at least one hour before departure or as soon as practicable in an emergency;
- Any armed person other than a federal employee or a federal official must notify the air carrier that there is a need for the weapon to be accessible in connection with the performance of that person’s duty from the time he or she otherwise would check the weapon in baggage until the time that the weapon would be returned to him or her after deplaning;
- The armed person must identify himself or herself to the air carrier by presenting credentials that include his or her full-face picture, his or her signature, and the signature of his or her service or the official seal of his or her service (a badge, shield or similar commission cannot be used as the only method of identifying the person);

- Air carriers must ensure that the armed person is familiar with procedures for carrying a deadly or dangerous weapon aboard the airplane before the person boards the airplane;
- Air carriers must ensure that the identity of the armed person is known to each law enforcement officer and to each employee of the air carrier who is responsible for security during the boarding of the airplane;
- Air carriers must ensure that the pilot in command, other appropriate crewmembers and any other person who is authorized to have a weapon accessible aboard the airplane know the location of each authorized armed person aboard the airplane; and,
- Air carriers may not serve alcoholic beverages to a person who has a deadly or dangerous weapon accessible and the armed person may not drink any alcoholic beverage while aboard an airplane operated by an air carrier.

Quinten Johnson, deputy associate administrator of the FAA Office of Civil Aviation Security, said that to enforce FARs Part 108, FAA conducts both scheduled and unannounced air carrier station inspections. During these inspections, an FAA special agent observes several elements of compliance with the air carrier's requirements. Special agents may interview air carrier employees about how they comply with requirements, conduct tests of security systems and examine log books to determine that records have been kept and procedures have been followed.

Law Enforcement Officers Have Many Reasons to Fly Armed

An explanation of the expected role of pilots and flight attendants is part of FAA's response to a September 2000 report by the U.S. General Accounting Office (GAO), which said that some pilots have questioned the legitimacy of many LEOs' need to fly armed.

FAA said, "Airline personnel are not in a position to challenge the need for [LEOs], with appropriate documentation, to fly armed, nor should [LEOs] be placed in the potentially mission-compromising position of being required to explain their mission to airline personnel ... appropriate documentation of need for state [police] and local police, or valid federal law enforcement credentials, is all that is required. ... As a result, even though it may not be obvious to airline personnel, the casually dressed federal [LEO], or one apparently accompanied by family members, may nonetheless have a legitimate mission need for flying armed."¹³

Cotton said, "The captain does have the ultimate authority to make a decision relative to the safety and operation of that aircraft. Often there are misunderstandings or fear of firearms

on board the aircraft that are of concern to an individual crewmember — who might be a captain or a flight attendant. If the firearm is in the possession of the person trained to use it and responsible for its safety and security, there should not be a big worry about a potential problem because of an LEO flying armed on board the aircraft."

Cotton said, "Certainly if an LEO flying armed appears to have a medical problem or a behavioral flag or — I am not suggesting this has ever happened or would ever happen — the flight crew detects the smell of alcohol, that is a real issue that should be reported to the law enforcement agency that that LEO represents. The law enforcement agency will take action for a significant event. FAA could impose a civil penalty if we found out that there was a violation of the FARs, but the law enforcement agency can suspend the LEO. Any LEO flying armed has filled out paperwork, so the air carrier can have its corporate security director contact that law enforcement agency."

In the response to GAO's report, FAA said that "FAA in no way pressures airline employees to take actions that they believe could endanger aviation safety ... airline employees could address such concerns [pressures to allow LEOs to fly armed] by working with their airline's management or contacting appropriate FAA personnel."

A distinction is necessary between challenging indiscriminately an LEO's need to fly armed and communicating concerns for a serious reason, Cotton said.

Johnson said, "Most [LEOs] do not need a weapon to take action aboard the aircraft because the assumption is that everyone else is unarmed."

Many times, the LEO's need to fly armed cannot be determined by pilots or flight attendants, Johnson said.

Cotton said, "One of the common reasons for carriage of weapons in the cabin is escort of prisoners by a county deputy, the U.S. Marshals Service or an officer of a state department of corrections. Many agencies provide dignitary-protection details, specifically the Secret Service and [U.S.] Department of State. The U.S. Marshals Service may escort someone in a witness-protection program. They do not need the firearm when seated in the aircraft but as soon as they step outside of a sterile area, they are at risk."

FAA's training package specifically instructs LEOs that they must not consider discharging a firearm inside the aircraft and provides detailed reasons, Cotton said. The training package was developed in 1993 by the Carriage of Weapons Task Force, has been incorporated into standard training of federal LEOs and has been adopted widely by LEO training academies in most states, he said.

Cotton said, "When an LEO is on the aircraft with a firearm in his or her possession, that is not much of a safety risk. That

individual is trained not only in how to use the weapon but in how to protect it.”

The attitudes of individual LEOs and airline captains influence their ability to resolve conflicts in a professional manner, Cotton said.

“There has to be a degree of professional trust and confidence,” Cotton said. “At the same time, a captain or flight attendant who has serious questions about qualifications of LEOs flying armed could get more information about today’s law enforcement standards and training.”

Multiple Procedures Control Passengers Who Fly Armed

Cotton said that the following procedures, based on current FARs and guidance material, are typical of those used by air carriers for an LEO to fly armed:

- LEOs should know, before arriving at the air carrier’s primary ticket counter for a flight, whether they will transport their weapon in checked baggage or whether they will fly armed in compliance with FARs, authorization by their law enforcement agency and airline policies;
- An LEO transporting a weapon in checked baggage will present the unloaded weapon in a locking hard-sided container and declare the unloaded weapon to a ticket agent in the same manner as other passengers. Ammunition may be carried in the same container. The air carrier will place a copy of the declaration form inside the container and the LEO will lock the container and claim the container at the destination;
- An LEO flying armed will present at the ticket counter credentials and documents (specified in the FARs), declare the need to fly armed, and complete and sign the air carrier’s firearms carry-on authorization form. A federal LEO will present credentials and declare the need to fly armed. A state, county or municipal LEO will present credentials, declare the need to fly armed and also present to the air carrier a signed letter from the law enforcement agency with details of the LEO’s itinerary and the reason for the LEO’s need to fly armed. When issued by the air carrier, the firearms carry-on authorization form represents the air carrier’s permission for the LEO to fly armed. A ticket agent can refuse to issue a firearms carry-on authorization form and instead require that the LEO transport the weapon unloaded in checked baggage;
- The firearms carry-on authorization form of an LEO flying armed and the LEO’s credentials then must be presented to a police officer at a security screening

checkpoint, where the LEO signs an armed-flight log book;

- At the departure gate for the flight, the LEO will present the firearms carry-on authorization form to the gate agent. The gate agent reviews the form and provides a copy to the captain or lead flight attendant. The procedures of individual air carriers and the preferences of individual captains vary, but an LEO flying armed may receive a special boarding pass and the lead flight attendant may introduce the LEO flying armed to the captain and/or other LEOs flying armed, or direct the LEO to the assigned seat; and,
- The lead flight attendant uses a copy of the carry-on authorization form to comply with the regulatory responsibility to notify each LEO flying armed about every other person flying armed on the aircraft.

Cotton said, “By the time that the LEO flying armed gets to the cabin of the aircraft, the screening has been done. In effect, the ticket agent takes part in screening of the LEO by looking at the [LEO’s] documentation.” Nevertheless, discussions between an LEO flying armed and a captain about the need to fly armed have occurred from time to time, he said.

“That is at the captain’s individual initiative — not a requirement and not something that [FAA] would expect to happen,” Cotton said. “Some captains are more concerned than others about an LEO flying armed aboard the aircraft.”

Flight Attendants Prevent Accidental Confrontations

The role of flight attendants in complying with FARs on carriage of weapons is critical to flight safety and security because an important safety factor is knowing who is onboard the aircraft with a firearm.

Cotton said that LEOs are trained to detect by observation that another person has a concealed firearm. One LEO flying armed may observe the concealed firearm of another passenger who is walking in the aisle, for example, and must recognize that the weapon is authorized to avoid a confrontation, he said.

Cotton said, “Usually, the lead flight attendant has the [LEOs’] carry-on authorization forms. The flight attendant must, in some discreet choice of words, inform every LEO flying armed of the presence of every other LEO flying armed on board a flight.”

Pilots and flight attendants also have a responsibility for protecting the identity of LEOs by withholding this information from other passengers, he said.

“We would not want everyone on the flight knowing that this guy over here is an LEO flying armed,” Cotton said. “That might not be a problem. On the other hand, someone might provoke a confrontation just because they do not like law enforcement personnel.”

Occasionally, flight attendants or pilots have requested assistance from LEOs flying armed in unsafe cabin situations, he said.

Cotton said, “If a lead flight attendant or first officer were to ask specifically for some help from an LEO flying armed, the reason would not be because the LEO was armed but because the crew knows that that the LEO has training in subduing an individual and applying restraints.”

Under current FARs, LEOs rarely fly with a weapon not concealed from view, Cotton said. The current AC 108-2 recommends concealment; the proposed FARs Part 108 includes a requirement for concealing weapons in an aircraft cabin.

Cotton said, “Currently, a uniformed police officer from the U.S. Bureau of Land Management or a forest service — or a uniformed LEO traveling on a high-priority mission for the day from a remote location to another location two states away — might fly armed. In that case, the firearm will be exposed in the cabin. Routinely an LEO flying armed, even a county deputy who typically wears a uniform, is going to be in plain clothes with the firearm concealed.”

Crewmembers’ ASRS Reports Describe Several Problems

Reports filed by airline crewmembers with the U.S. National Aeronautics and Space Administration (NASA) Aviation Safety Reporting System (ASRS) included the following occurrences involving armed LEOs:

- Handguns were found by flight attendants in cabin locations out of the immediate control of the LEOs who carried the weapons aboard the aircraft;¹⁴
- Crewmembers said that they were concerned about the nervous behavior of an LEO flying armed;¹⁵
- Although LEOs flying armed had followed appropriate procedures, crewmembers were not informed of their presence during the flight by forms, boarding passes or the officers;¹⁶
- A ramp supervisor used a code word to indicate to a flight attendant that two LEOs flying armed were boarding a flight; nevertheless, the flight attendants and pilots had not been briefed about the code word and misunderstood its meaning;¹⁷
- Two LEOs flying armed presented their firearms carry-on authorization forms to a captain, but before boarding, the captain and a gate agent directed that the LEOs transport their weapons in checked baggage because the LEOs said that their weapons were needed for prisoner escort on a different flight. A chief pilot intervened and the LEOs flew armed;¹⁸
- Flight attendants said that they were not informed of the presence of federal marshals or whether they were armed;¹⁹
- A flight attendant told the captain that two LEOs flying armed were aboard the flight without firearms carry-on authorization forms. The LEOs were not armed; the confusion resulted from miscommunication between the LEOs and the flight attendant;²⁰
- A flight attendant told the captain that an armed passenger apparently was aboard the flight with no documentation. The flight attendant subsequently determined that an LEO flying armed had been assigned to the seat occupied by the passenger. The LEO had obtained a firearms carry-on authorization form, but the pilots and flight attendants said that they did not receive forms or other notification;²¹
- A captain said that he was notified 45 minutes after departure that an LEO flying armed was on the flight after a flight attendant temporarily misplaced the LEO’s firearms carry-on authorization form. The gate agent did not tell the crew during boarding that an LEO flying armed would be on the flight;²²
- An armed LEO in uniform boarded the aircraft without a firearms carry-on authorization form. During deplaning after the flight, the captain asked the LEO if he was armed. The LEO said that he was armed but that he had delegated to others the responsibility for completing the required form;²³
- While at the gate before departure, a flight attendant told the captain that two LEOs flying armed had requested alcoholic drinks. The LEOs told the captain that they were traveling to pick up a prisoner two days later and did not need to fly armed on that flight. The captain told the LEOs that the FARs prohibited serving alcohol to them but the captain did not require the LEOs to place their weapons in checked baggage, in part because the flight was 45 minutes behind schedule;²⁴
- A passenger found a handgun between two seats during boarding. The crew was aware of one LEO flying armed. An investigation showed that a different LEO on the flight had failed to declare the misplaced handgun;²⁵
- A captain challenged an LEO’s need for a weapon in the cabin. The LEO went to a gate agent to transport the

weapon in checked baggage. Before takeoff, the captain learned that the officer still had the weapon. The gate agent believed that the weapon had been checked but a passenger service representative disputed the need to check the weapon. The weapon then was checked. Other passengers became concerned about the public discussion of a gun on board, however, and the captain made a passenger announcement to explain the situation;²⁶

- A captain had a dispute with an LEO about carrying a weapon in the cabin. The weapon was carried unloaded as a compromise; and,²⁷
- A captain learned after departure that LEOs were not armed — contrary to the air carrier’s policy — while escorting a person in custody.²⁸

Cotton and Johnson said that FAA’s Office of Civil Aviation Security considers the incidents mentioned in the ASRS reports to be unverified and extremely rare.

Michael Chapman, a special agent and spokesperson for the U.S. Drug Enforcement Administration (DEA), said that like other federal LEOs who travel frequently and have authority nationwide, DEA agents consider flying armed a normal part of their work. He said that problems have not occurred often for DEA agents flying armed.²⁹

Chapman said, “Some agents have had differences with airline personnel, but that occurs very infrequently. I have heard only of an instance or two in 15 years that I have been with DEA. Personally, I never have been challenged by airline personnel concerning a weapon in my travels in the United States.”

Johnson said that FAA sometimes has encountered among airline pilots unexplained attitudes and reluctance to allow LEOs to fly armed.

Cotton said that a captain’s effort to ensure safety may have the opposite effect if the captain permits carriage of weapons in a manner other than as required in the FARs. For example, the captain normally should not direct that an LEO unload a firearm aboard the aircraft, he said.

“Unloading a weapon in the cabin is an unsafe compromise,” Cotton said. “Unloading and reloading are the most likely times for an accidental discharge. A lot of attitudes are carryovers from yesteryear — without looking at law enforcement standards and training in 2000.”

Johnson said that most of the misconceptions on what constitutes the need to fly armed are not among airline crews but among LEOs.

“That is where our strongest effort has been, to educate law enforcement agencies that the need to fly armed means

something,” Johnson said. “We have had LEOs bringing their weapons on board the aircraft while coming back from training and they had no need to fly armed. LEOs have come back from shooting matches with weapons left in overhead bins. This has nothing to do with the need to fly armed.”

U.S. Pilots See Exaggerated Concerns About Armed LEOs

Capt. Stephen Luckey, a Northwest Airlines pilot and chairman of the National Security Committee of the Air Line Pilots Association, International (ALPA), a U.S. pilot union, said that protracted discussion of new FARs for carriage of weapons by LEOs has diverted resources from more pressing needs in airline security.³⁰ Luckey said that the basic decisions involved were taken 10 years ago. ALPA supports FAA’s proposed amendments to FARs Part 108 and has asked FAA to issue final rules consistent with the industry consensus, he said.

“This probably has been the most tenacious and passionate security issue I have experienced,” Luckey said. “The key issue is being able to ascertain the need to fly armed. The proposed changes are not tremendous; we have discussed them at length and they reflect the consensus of the ASAC. For example, the training requirement is a big step forward; accurately defining the discipline involved in carrying a gun aboard an aircraft also is positive. A weapon is not a liability — if there is a need, and a properly trained LEO, there is not a safety problem. Nevertheless, more weapons have been in the cabin than need to be there.”

The international context for the expected U.S. changes is a wide range of methods of regulating carriage of weapons aboard commercial passenger aircraft, he said. (See “Internationally Accepted Recommendations Influence Carriage of Weapons” on page 11.)

“In some countries, every flight segment is flown with an armed LEO on board,” Luckey said. “There also are airlines that do not allow any weapon of any kind on board. U.S. policy is a little more on the liberal side when compared to most other countries but U.S. carriers are not exposed to the level of threat that some other carriers face.”

Luckey said that the factors affecting FAA’s final rulemaking include the power relationships among law enforcement agencies, loss of corporate memory over time about consensus positions and hypothetical concerns about armed LEOs that lack historical basis.

“There is not a significant carriage-of-weapons problem — the problem has been overstated,” Luckey said. “ALPA does not know of a significant incident in which the presence of an armed LEO adversely affected aviation safety. There have been no instances of an LEO’s firearm being discharged in flight

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Internationally Accepted Recommendations Influence Carriage of Weapons

Brian Wall, director of security services for the International Air Transport Association (IATA), said that national laws on carriage of weapons in commercial passenger aircraft — and civil aviation regulations derived from them — vary widely in the world.¹ They range from absolute (or nearly absolute) prohibition of any firearms in the cabin of a commercial transport aircraft to requirements that armed security personnel be aboard every domestic flight, Wall said. U.S. provisions for law enforcement officers (LEOs) to fly armed contrast significantly with practices of the United Kingdom and Australia, for example.

Kaye Warner, head, Dangerous Goods Office, U.K. Civil Aviation Authority, said, “Carriage of weapons on aircraft by [LEOs] is strictly controlled in the United Kingdom, since, in general, police officers are not armed. However, Article 59 [of Air Navigation Order 2000] has an exclusion clause for [LEOs] on non-U.K. aircraft acting in the course of their duties as such. The ability for [an LEO] to retain a loaded weapon on a United Kingdom-registered aircraft is subject to an exemption from the legislation which is granted by my office. There are few occasions when such exemption may be granted — for instance, when senior government ministers or members of the Royal Family are traveling by air. As far as I am aware, there have never been any difficulties with the carriage of weapons in the cabin of an aircraft by LEOs.

“Munitions of war and sporting weapons are frequently carried on aircraft in the United Kingdom both by passengers and as cargo; except for specialized circumstances, LEOs are not dealt with differently [than] other passengers.”²

Angelina Macie, director, policy and standards, aviation security and Olympics, Australia Department of Transport and Regional Services (DTRS), said, “Australia has a longstanding policy of prohibiting the carriage of weapons on passenger aircraft, and this policy is strictly applied on flights within Australia, as well as those entering or leaving Australian airspace. The carriage of weapons on charter or regular public transport aircraft is prohibited under Section 22D of the Air Navigation Act 1920, unless specifically permitted by the secretary of the [DTRS]. This policy applies to all Australian law enforcement agencies and military personnel, whose weapons can only be carried in the hold of a regular passenger aircraft while in flight. Australia also prohibits the carriage of weapons by sky marshals and foreign security personnel traveling on flights to and from Australia.

“While the secretary [of the DTRS] can issue an approval for weapons to be carried, these exemptions are only considered on a case-by-case basis with strict conditions attached and normally only for closed charter flights where there are particular justifiable reasons for the weapons to be carried.”³

Wall said, “In a consensus that differs from positions of some individual members, IATA recommends that there be no weapons inside the cabin during flight and that security procedures on the ground be sufficient to ensure [this practice]. This is a recommendation and not binding. If airlines determine to have a procedure [for carriage of weapons], we cannot do anything about that.”

IATA participated with the International Civil Aviation Organization (ICAO) in writing sections of the *ICAO Security*

Manual that contain universal recommendations and principles for the authorized carriage of weapons, Wall said.

“Each airline has to organize [security] procedures through its own state of registry,” Wall said. “All of the policies we recommend are in the *ICAO Security Manual*. We do not provide separate [guidance] for IATA member airlines.” The most current information about authorized carriage of weapons typically is available to LEOs and other passengers directly from individual airlines, he said.

“When passengers intend to make [an airline travel] reservation, they should go to the airline’s point of contact,” Wall said. “[Reservations agents] may have the information at hand and [provide it immediately] or they can refer the query to airline security or other appropriate people.”

Aircraft crewmembers and armed LEOs should be knowledgeable, current and disposed to resolve any apparent conflicts in their professional understanding of laws, regulations or policies, he said.

Wall said, “I have been involved in airline security for more than 30 years. We do have many LEOs who think it is the old days; that is, they believe that ‘you cannot take away [my weapon].’ They should be referred to airline security personnel. If airline staff have [an operational concern involving carriage of weapons,] they should report their concern to management; management typically hands the problem to airline security to resolve.

“At first I thought that the United States had a free and easy way of [authorizing the carriage of] weapons — but that is changing now. The FAA and U.S. Department of State are changing regulations; [for example,] the new procedures for a person traveling armed [to the United States] from another country now require much more [effort] than before, including signing a document and [obtaining] the authority of the U.S. Department of State.”

Denis Chagnon, public information officer for ICAO, said that ICAO provides recommended practices — but not a standard — for several aspects of the carriage of weapons on board aircraft in International Standards and Recommended Practices Annex 17, *Security: Safeguarding International Civil Aviation Against Acts of Unlawful Interference* and in the *ICAO Security Manual*. Contracting states are invited but not obliged to file with ICAO any difference with recommended practices, he said.⁴

Chagnon said, “Although recommended practices do not have the force of standards, they still carry considerable weight. Regulations vary greatly by country and by culture as to the need or wish to carry arms. Because practices vary so much from country to country, we have not accumulated a critical mass of information about this subject. Nevertheless, some of the fundamental concepts could be included in Annex 17 as standards — something that is being considered by the ICAO Aviation Security Panel.”

ICAO Annex 17, Chapter 4, “Preventive Security Measures,” includes the following specific recommendations concerning carriage of weapons on aircraft engaged in international civil aviation:

Internationally Accepted Recommendations Influence Carriage of Weapons *(continued)*

- “4.1.2 Contracting states should ensure that the carriage of weapons on board aircraft, by [LEOs] and other authorized persons, acting in the performance of their duties, requires special authorization in accordance with the laws of the states involved;
- “4.1.2.1 Contracting states should ensure that the carriage of weapons in other cases is allowed only when an authorized and duly qualified person has determined that they are not loaded, if applicable, and then only if stowed in a place inaccessible to any person during flight time; [and,]
- “4.1.2.2 Contracting states should ensure that the pilot-in-command is notified as to the number of armed persons and their seat location.”

Chagnon said, “The following general principles should be included in a [country’s] civil aviation security program, which, in turn, should be given legal force by national civil aviation regulations, based on the guidance material contained in the *ICAO Security Manual*. The manual is a restricted document, but can be released with the approval of an appropriate aviation security authority.” He said that the manual includes, in Chapter 4.8, “Authorized Carriage of Weapons,” the following guidance:

- Procedures should be designed to prevent anyone from taking an armed LEO’s firearm in flight and using the firearm to commit an act of unlawful interference because this has occurred in some countries;
- Countries should provide laws and regulations for carriage of weapons by LEOs aboard an aircraft;
- Countries should specify an agency to review and approve applications for carriage of weapons in an aircraft cabin;
- Countries and air carriers should cooperate prior to the transfer of passengers from an aircraft operated by one country to an aircraft operated by another country so that LEOs flying armed comply with all the applicable laws and regulations;
- Countries should coordinate — prior to a flight — whether LEOs flying armed or other armed escorts will be permitted to carry weapons in the aircraft cabin or only in checked baggage during a commercial passenger flight from one nation to another, such as when providing a protective detail for a government official;
- When an armed protective escort has been authorized by the respective governments, the LEOs flying armed typically should be expected to observe the national laws, regulations and related procedures in effect at the destination;
- Countries should require armed LEOs to declare their need to fly armed with sufficient time for authorization to be processed;
- Authorization processes should include verification of the legal authority of LEOs flying armed to carry weapons, their appropriate training and the approval of the air carrier;
- Authorization by law enforcement agencies for LEOs to fly armed should be documented in writing with appropriate signature, itinerary and the reason why the firearm needs to be accessible in flight;
- Written documentation should be provided by the armed LEO to the air carrier and to officials responsible for the security of flight;
- Appropriate representatives of the following entities should be aware of the identity of any LEO flying armed: air carrier security personnel, air carrier personnel responsible for security during screening and boarding processes, airport security personnel and the law enforcement agency responsible for airport security;
- Air carriers should have procedures — such as briefings or informational cards to sign — that ensure that after initial check-in, prior to passenger screening and prior to boarding, LEOs flying armed are aware of all regulations and relevant air carrier rules;
- Procedures should ensure that the pilot-in-command and all crewmembers know the seat locations of all armed persons in the cabin;
- Procedures should ensure that all armed persons on the flight know the seat locations of all other armed persons;
- Armed LEOs should be advised by the air carrier that they should not intervene in any incident occurring during flight unless requested to do so by the pilot-in-command;
- Alcoholic beverages should not be served to any armed passengers;
- Procedures should ensure that information about armed LEOs and authorization from countries passes from the crew of one air carrier to the crew of the next air carrier during interline passenger transfers;
- Weapons presented to an air carrier for transport in checked baggage should not be accessible to any person while the aircraft is in flight, and should not be in the possession of any aircraft crewmember or stowed on the flight deck;
- When firearms are transported in checked baggage, the air carrier must be assured that the firearm is not loaded; and,
- Unloaded firearms in checked baggage should be in containers that protect them from damage.

— FSF Editorial Staff

Notes and References

1. Wall, Brian. Telephone interview with Rosenkrans, Wayne. Alexandria, Virginia, U.S., October 6, 2000. Flight Safety Foundation, Alexandria, Virginia, U.S.
2. Warner, Kaye. E-mail communication with Rosenkrans, Wayne. Alexandria, Virginia, U.S., September 26, 2000. Flight Safety Foundation, Alexandria, Virginia, U.S.
3. Macie, Angelina. E-mail communication with Rosenkrans, Wayne. Alexandria, Virginia, U.S., September 26, 2000. Flight Safety Foundation, Alexandria, Virginia, U.S.
4. Chagnon, Denis. Interview with Rosenkrans, Wayne. Alexandria, Virginia, U.S., September 27, 2000. Flight Safety Foundation, Alexandria, Virginia, U.S.♦

and I know of only one confirmed instance of an accidental discharge when an LEO was deplaning after a flight. But I am not saying that a serious incident could not or would not happen.”

Luckey said that the accidental discharge occurred when an LEO flying armed — who was conducting a prisoner escort — handled a pistol at the rear of the cabin after the other passengers, cabin crew and flight crew had deplaned. The agent received a wound in the groin, collapsed in the jetway and was assisted by the prisoner in obtaining emergency medical care, he said.

He said that one ALPA argument for updating and clarifying the FARs has not been heard as often as those of LEOs: distraction of pilots when questions arise about armed LEOs.

“Dealing with an LEO’s credentials distracts attention from the five minutes to six minutes before I close the aircraft door,” Luckey said. “There is much to be aware of to make sure we are legal to go, such as the latest en route and destination weather, weight, hazardous materials [hazmat] properly loaded, the load manifest, center of gravity for trim settings, latest information on the condition of the field, NOTAMs, hazmat advisories, pet advisories, shipments of human tissue that arrive just before we close the door, getting ATC clearance and managing taxi-out to arrive at the slot time. We do not need any more [tasks].”

“It would be nice for LEOs not to carry a firearm in the cabin, but that is not reality,” he said. “From the flight deck, it is nice to know that an FBI agent or a federal LEO with training at that level is in back.”

Luckey said that lack of aviation-specific firearms training among some LEOs has been a major concern of airline pilots. He said that he is familiar with the training and qualifications of special agents of the FBI. Most airline pilots know that the FBI is charged with investigating and preventing specific crimes aboard aircraft, he said.

“An aircraft is a far more sensitive and vulnerable environment than most environments known to LEOs,” Luckey said. “A bullet can pass through a bulkhead striking instruments, circuit breakers or pilots — none of which is good. I would question boarding armed LEOs who have not had proper training.”

ALPA’s interest in carriage of weapons has evolved to include, more broadly, firearms carried into the sterile area, he said.

“Any location from the screening checkpoint to the aircraft door is part of my aircraft when the door is open,” Luckey said. “Reducing the threat items in the sterile area — such as a firearm that does not need to be there — is enhancing security. A threat item is any weapon can be taken away from a person. In 1999 — one year — about 36,700 guns were counted downstream

of screening checkpoints at [Ronald Reagan] National Airport [Arlington, Virginia]. Do they really need to be there? More than 100 guns a day go into that airport’s sterile area, though probably less than 10 percent are actually flying. This is one area of security we can clean up and tighten up.”

Airline pilots are sympathetic to LEOs’ common concern that a weapon could be stolen from checked baggage, Luckey said.

In March 2000, ICAO adopted recommendations for adding a secure container inside aircraft cabins and for providing doors to flight decks that would resist small arms fire and fragments from small explosive devices. Luckey said that in the future, such a container — with features similar to a safe deposit box — might help to relieve LEOs’ concerns. A properly shielded container in the cabin could have compartments with dual locks available to LEOs, Luckey said. The LEO would retain one key. The airline’s second key would not be carried in the aircraft.

Luckey said, “The procedures could work if only the LEO handles the weapon, boarding before other passengers and retrieving the weapon after other passengers deplane. The weapon would not be accessible in flight or to thieves on the ground.”

For LEOs to fly armed safely, all crewmembers and LEOs must adhere to the established disciplines, he said.

“Multiple armed LEOs in the cabin must be able to identify visually the other armed persons and to know specifically where they are seated,” Luckey said.

FAA Expects Amended Rules to Clarify Need to Fly Armed

Meeting the objectives of the proposed FARs will require cooperation with FAA, oversight by all law enforcement agencies and updated training.

Cotton said, “The actual determination of whether the need to fly armed exists is made by the LEO’s employing agency. For example, a special agent from a federal office of inspector general may be issued, at the office, a hard-sided locking container for the firearm [to be transported in checked baggage]. Occasionally that special agent may have need to fly armed, but routinely, the weapon goes in checked baggage. LEOs representing a federal agency do not have to *demonstrate* the need to the air carrier, they have to *declare* the need.

“A state, county or municipal LEO will have a letter that details their itinerary and [details] the reason that they need to travel armed. It is almost job-specific whether or not there ever would be a need for these LEOs to fly armed. A county sheriff’s department may have 300 LEOs with 20 in a bureau or a division that does prisoner extraditions. In a city police

department, a small group of detectives or investigators routinely would fly armed.”

When the LEO flying armed has complied with the FARs, challenges to an LEO’s need to carry a weapon should not occur, Cotton said.

“The LEO is under no obligation to explain to the captain what the mission is,” Cotton said. “The LEO may be conducting surveillance on an airline employee or providing a protective escort for someone who is really seated in another location. It is the air carriers’ prerogative whether they accept that need and accept that person as a ticketed passenger. But the decision should be made at the ticket counter — not made at the ticket counter and then rescinded in the cabin.”

Such occurrences are one of the areas of continuing concern for LEOs, Cotton said.

“If the LEO knew at the ticket counter that he would not be allowed to fly armed, he or she would have had an option either to transport the firearm in checked baggage or to book a flight on another airline,” Cotton said.

Planned Systems Will Verify Law Enforcement Credentials

As work on the FARs Part 108 final rules continued in mid-2000, FAA, law enforcement agencies and U.S. airlines collaborated on the following steps to better verify credentials of armed LEOs:

- FAA required, through an interim security directive, that a uniformed airport police officer check the credentials of all LEOs who pass through airport security screening checkpoints;³¹
- FAA selected for pilot testing a technologically sophisticated credential for LEOs flying armed; and,³²
- FAA, law enforcement agencies and industry began developing long-term procedures to verify the identity of LEOs flying armed.

These measures were prompted by the results of a GAO investigation in April and May 2000 in which undercover GAO agents penetrated 19 federal sites and two major commercial airports — Ronald Reagan National Airport and Orlando International Airport, Florida — using fictitious credentials and bogus badges purchased from public sources. The GAO report said that the bogus badges varied in their similarity to genuine badges and that the fictitious credentials did not resemble any genuine law enforcement credentials.³³

The investigation was conducted at the request of the Subcommittee on Crime, U.S. House of Representatives

Committee on the Judiciary, and included successful attempts to reach departure gates in the guise of LEOs flying armed, although the undercover GAO agents were not armed.

The report said, “At the two airports we visited, our agents used tickets that had been issued in their undercover names for commercial flights. These agents declared themselves as armed [LEOs,] displayed their spurious badges and identification, and were issued ‘law enforcement’ boarding passes by the airline representative at the ticket counter. Our agents then presented themselves at the security checkpoints and were waved around the magnetometers. Neither the agents nor their valises were screened.”

Johnson said, “Proposed changes to the FARs are imminent although we have been working on them for a number of years. At the same time, we have worked on our response to GAO’s report with a verification-card program.”

Several federal law enforcement agencies took steps in 2000 to make their LEOs’ credentials more difficult to counterfeit, Johnson said. Some have used resources of the U.S. Bureau of Engraving and Printing to produce new credentials. Some of these efforts were prompted by the GAO investigation and all have been separate from a Verification Card Working Group formed by the Carriage of Weapons Task Force. The working group has selected a tamper-proof form of additional verification for law enforcement credentials, he said.

Johnson said, “We are trying to provide a piece of LEO identification that is as difficult as possible to counterfeit. The Secret Service, the U.S. government’s anti-counterfeiting agency, has a stake in this and identified a smart-card technology, an electronic chip medium that is useful for this purpose and very difficult to counterfeit. In three months, we agreed on the technology; identified a vendor or vendors in cooperation with the Secret Service; drafted procedures; drafted the rules to implement the procedures; developed a pilot test protocol; and identified a couple of airports where the pilot test will take place.”

The pilot test will determine whether the smart cards and readers work properly, he said. In October 2000, FAA was working on an agreement for a smart-card distribution system.

“The technical part of this solution appears to be well on its way to completion,” Johnson said. “Distribution-accountability issues are to be worked out. These cards have to be highly accountable so that if an unauthorized person obtains a smart card, the card will be made invalid and unusable. Readers will be provided by the air carriers subject to agreements on funding. This is all going to happen at the screening checkpoint and should be transparent to the cabin crew.”

Cotton said, “When the smart-card system is implemented cabin crews should have a much higher level of confidence —

an absolute level of confidence — that any armed individual on board the aircraft is in fact authorized to fly armed.”

Johnson said that short-term implementation of the smart-card system probably will take the form of an FAA-ordered change to airport security programs.

Assuming that the amended regulations and new systems are completed as planned, differences in standard operating procedures for U.S. pilots and flight attendants are not expected to be extensive. Crewmembers will need to be familiar, however, with their role and responsibilities.

Many Law Enforcement Officers Resist Checking Weapons

Theft, misrouting or delay of checked baggage has been a significant concern to some LEOs. Nevertheless, LEO comments about this aspect of the proposed FARs included anecdotal examples without data showing the extent of the problem that they have experienced. The following examples of LEO experiences and concerns were described in letters to FAA:

- “In the past three years, I have made 31 trips, most of which required two flights, for a total of around 60 flights on official business. I have traveled armed on each of these trips. I have checked baggage on only two of these trips. ... On at least four of the flights cited above, my firearm and I would have arrived at our destination at different times, and once, my baggage would have arrived on [one airline] while I flew on [another airline] had I checked my baggage;”³⁴
- “As a veteran of over 100 armed flights on board commercial aircraft, I can tell you this [procedure for LEOs flying armed] is nothing short of a hassle. Things really get interesting when you are following a suspect on the same flight and simultaneously trying to comply with the existing regulations, all the while trying to conceal your activities (you would be amazed what one flight attendant ... can do to compromise a covert surveillance operation — it has happened to me twice);”³⁵
- “There are no provisions for the safe and subtle unloading and packing of a law enforcement firearm on airport property. [U.S. Bureau of Alcohol, Tobacco and Firearms] special agents who encounter a hostile subject, a crime in progress, or a similar situation requiring immediate enforcement action while en route to or from the airport, in the airport parking lot, at the ticket counter, within the sterile area, or in the baggage claim area, will find themselves unequipped and perhaps unable to perform their lawful duties;”³⁶ [and,]
- “An armed officer arrives at the airport for travel aboard an aircraft. The officer must first find a place to unload

the firearm. A safe, private place is hard to find in an airport, so [safety] is sacrificed for [privacy] and into the restroom goes the officer. While in the stall, the television-watching public is treated to the sound of the action of a semiautomatic weapon being worked as the officer unloads the gun. The gun is placed in a lockable FAA-approved gun case that says ‘gun’ to anyone with the slightest knowledge of firearms. The officer carries the weapon in an unlocked case to the ticket counter where a ticket agent, with unknown experience, inspects the gun to assure it is unloaded. This inspection is done in full view of the public. Satisfied, the ticket agent tags the weapon as being unloaded and tells the officer to lock the case. The officer then watches the weapon go down the ramp unescorted. The entire public in line behind the officer knows a gun was in the case, what the case looks like and who the owner is. An unarmed officer then heads to the aircraft worrying that the weapon will be lost or stolen and feeling quite vulnerable. Upon arrival at the destination, the officer must run to the baggage claim area to be the first to get a chance to pick up the weapon. Assuming the officer is successful, the weapon is retrieved and once again the officer looks for a safe, private place to load the weapon.”³⁷

Johnson said, “Weapons are stolen frequently in society, which is one of the reasons that associations of LEOs are reluctant for their members to transport weapons in checked baggage. They do not cite actual weapons thefts from checked baggage, they cite just the number of weapons thefts. They say, ‘This is a vulnerability, our guns may be stolen.’ There is some validity to their concern.”

The U.S. Department of Transportation said that passengers on the 10 largest U.S. air carriers in July 2000 filed mishandled-baggage reports at a rate of 5.6 reports per 1,000 passengers. (Mishandled baggage included lost, damaged, delayed or pilfered baggage, including reports that did not result in claims for compensation.)³⁸

Some LEOs as recently as 1998 said in their letters to FAA that they were concerned about baggage-handling methods that had been discontinued in 1993.

Cotton said, “Air carriers before 1993 used a blaze-orange tag attached to the outside of any baggage containing a firearm, supposedly for the safety of the baggage handlers. As long as the passenger checks a firearm that is unloaded, there is not a safety issue. Tags or forms no longer are placed on the outside so a container with a weapon is not supposed to be recognizable from any other bag going down the conveyor belt. That vulnerability kind of went away — baggage handlers do not know which bags contain firearms.”

Cotton said that misunderstanding of procedures for transporting a weapon in checked baggage also has caused problems.

“The procedure for carrying weapons in checked baggage is identical for an LEO and other passengers,” Cotton said. An LEO’s checked baggage is not handled differently than other passengers’ checked baggage, he said.

Air carrier employees often have told LEOs incorrectly that ammunition must be transported in a container other than the container used for the unloaded firearm, he said. The FARs do not require this and Cotton said that no U.S. air carrier has been identified by FAA as having such a corporate policy. Air carriers do publish in their contracts of carriage the specific quantities of handgun, rifle and shotgun ammunition that may be carried by a passenger in checked baggage.

“Ammunition cannot be thrown loosely into checked baggage or placed in a plastic bag. Ammunition must be packaged so that the primers are protected,” Cotton said. “Keeping rounds in a magazine outside the firearm is acceptable.” Boxes designed for ammunition, such as those supplied by the manufacturer, or similar packing methods also can be used.

Total Officers Flying Armed Has Not Been Estimated

As of June 1996, U.S. federal agencies employed about 74,500 full-time LEOs with federal arrest authority who also were authorized (but not necessarily required) to carry firearms in the performance of their official duties.³⁹ The agencies surveyed included the Bureau of Alcohol, Tobacco and Firearms; DEA; FBI; Federal Bureau of Prisons; Immigration and Naturalization Service; Internal Revenue Service; U.S. Customs Service; U.S. Marshals Service and U.S. Postal Inspection Service. Areas of duty for the federal LEOs included criminal investigation and enforcement (43 percent), corrections (21 percent), police response and patrol (16 percent), noncriminal investigation and enforcement (13 percent), court operations (4 percent), and security and protection (3 percent).

The September GAO report said that the total number of LEOs flying armed in the United States per year could not be determined because data are not collected systematically by FAA or airlines.⁴⁰

FAA’s Cotton said, “We do not collect data routinely about LEOs flying armed. Anytime there is a problem, we take a detailed look.”

To get a sense of the number of LEOs flying armed, GAO obtained the following data from two of 10 major U.S. airlines contacted:

- “US Airways found that during the three-month period from March through May, 2000, nearly 10,000 [LEOs] flew while armed on US Airways flights. US Airways transported 3,176 armed [LEOs] in March, 3,281 in April and 3,252 in May; and,

- “Continental Airlines reported that during an eight-month period in 1999 and 2000, the airline carried approximately 100 armed [LEOs] aboard its aircraft each month.”

GAO also obtained from security-screening companies data about armed LEOs carrying weapons through airport security checkpoints. The report contained the following examples:

- “At the Fort Lauderdale/Hollywood International Airport, [Florida, International Total Services (ITS), the largest security-screening company in the United States] reported that about 300 armed [LEOs] passed through security checkpoints staffed by ITS personnel each month from January through April 2000; and,
- “At the New Orleans International Airport, [Louisiana,] the monthly average for ITS security checkpoints was about 200 armed [LEOs] during the same time period.”

The GAO report said, “As a means to collect data on how frequently [LEOs] carry firearms on board the nation’s commercial airlines, to provide positive means for verifying the identity of armed [LEOs] entering secure areas of airports, and to better ensure the safety of passengers, we recommend that the [U.S.] secretary of transportation direct the [FAA administrator] to do the following:

- “Work with the airlines and law enforcement agencies to implement a secure memory-card system and publish a timetable for its implementation;
- “Require airlines to screen the carry-on baggage of [LEOs] in order to detect items that could present a threat to flight safety; [and,]
- “Develop procedures to help ensure that officers do not leave weapons on aircraft.”⁴¹

Airlines Say Law Enforcement Should Resolve Problems

Richard Doubrava, managing director of security for the Air Transport Association of America (ATA), said that U.S. airlines — like FAA — believe that FBI special agents and FAs have unique responsibilities for flying armed, but the airline industry also extends to other LEOs the privilege of flying armed.⁴²

Doubrava said, “Air carriers have the authority to refuse to board an armed LEO. ATA has not championed an effort to expand or to restrict current regulations for LEOs to fly armed. We believe that the industry benefits from FARs that are explicit and clear as to how the process works, however. Beyond that, the determination of which LEOs have a need to fly armed is an FAA issue.

“The industry is not opposed to LEOs flying armed, but a large group of LEOs proclaims to have the right to carry weapons aboard aircraft. By and large, if LEOs follow the rules in presenting their documentation and their identification media, most are permitted to fly armed.”

FAA’s advisory groups have spent about 10 years on clarifying the procedures for LEOs flying armed, he said.

“There is more discussion of what ought to be done to accommodate LEOs but the industry does not see regulatory changes as an open door to absorbing costs of new services for armed LEOs who are carried as a courtesy. The law enforcement community and FAA must work out a method that will have minimum [effect] on the airline industry from the operational and economic standpoints.”

The May GAO report about penetration of airport sterile areas galvanized the attention of air carriers on the carriage of weapons discussion, he said.

“FAA has begun a new round of discussions in the Carriage of Weapons Task Force to see what processes could provide greater assurance that LEOs are who they say they are,” Doubrava said. “In current discussion of the smart-card method, the law enforcement community would issue appropriate cards. Cards would be read in card readers that would signal the security screening checkpoint personnel that the person is authorized to fly armed. Crews should feel comfortable that we will have such a red-light-or-green-light process. The FARs later will have to mirror the new requirements. We have not come to any closure as to who will own, pay for and oversee the smart-card system.”

ATA believes that the responsibility for issuing and verifying LEO credentials rests with the law enforcement community — not the airline industry, he said.

“Verification with a smart-card reader will not occur at the ticket counter; this must continue to be done at the screening checkpoint,” Doubrava said. “We do not see any reason to [change] the airline check-in process by imposing that the LEO verification be conducted at the ticket counter.”

Doubrava said that each U.S. air carrier has developed a process to enable LEOs to fly armed — some manual and some automated — but most are similar. Air carrier forms used by armed LEOs are not identical but are similar enough to prevent confusion when LEOs fly armed on different airlines. Airlines’ processes for training flight attendants to interact with LEOs flying armed also are well established, he said.

“To ensure the appropriateness of an individual traveling armed, we do all we can to assure the validity of that individual being on the aircraft — sometimes including efforts to revalidate in an appropriate manner the LEO’s authorization to fly armed,” Doubrava said.

ATA is aware that armed LEOs who transport their weapons in checked baggage sometimes have difficulty finding an airport location where the weapon can be unloaded and transferred to a compliant container with safety, privacy and convenience.

Doubrava said that airlines and airports, however, would have difficulty providing designated places for LEOs to transfer their weapons to checked baggage, and that providing containers for LEOs to use in checking weapons also would not be feasible from logistical or economic standpoints.

“Our view is that this is not a valid air carrier issue,” he said. “If LEOs want to carry weapons, then the law enforcement community needs to work with FAA on those issues and FAA needs to work with the LEO community.” He said that the same principle applies to suggestions that airlines provide special procedures for handling the checked baggage of LEOs.

Doubrava said, “We do not treat an LEO’s baggage more carefully than the baggage of other passengers in trying to ensure baggage safety and security. Everyone is entitled to believe that their checked bag will be secure and to expect this level of performance from the carrier. The industry does not see carving out a special niche for those who carry weapons as desirable.”

NPRM Seeks Common Restraint Procedures for Prisoner Escort

The NPRM for Part 108 also addresses varying policies among air carriers on restraint of prisoners. The variation has caused some LEOs to be uncertain about air carrier procedures. FAA said that the number of escorts required for prisoner transport would be determined by the risk presented by the person being escorted. FAA proposed to apply the term “high risk” if a prisoner is an escape risk, or is charged with, or convicted of, a violent crime for a consistent interpretation by the law enforcement community. Prisoners not considered high risk would be categorized as “low risk.” The determination would be made by the agency directing the transportation of the prisoner.

FAA said, “This section proposes that a person who is a high risk shall be under the control of at least two armed escorts. In addition, such individuals’ use of hands would be restrained by an appropriate device which is attached to a separately locked waist restraint device. To provide for emergency egress, leg irons would not be permitted.”

A low-risk prisoner would be under the control of at least one armed law enforcement escort, FAA said. No more than two low-risk prisoners would be escorted by a single LEO flying armed. Low-risk prisoners’ hands would be restrained in the same manner as high-risk prisoners.

FAA also proposed to change the seating requirement for prisoners under escort and provide for seating the prisoner in the rear-most seat available. The NPRM also said that armed LEOs would notify the air carrier about a prisoner escort at least 24 hours before the scheduled departure, or as far in advance as possible, and notify the air carrier of any preexisting medical conditions of the prisoner that could “generate unusual behavior that could pose a threat to the security of the flight.”

Few Changes Affect Federal Air Marshals

The NPRM for Part 108 proposed to prohibit divulging the identity, seating and purpose of FAA FAMs to any person who does not have an operational need to know that information.

Cotton said that U.S. air carriers currently are responsible for providing general information to their flight attendants about the role of FAMs, especially if there is a FAM team on their flight. Flight attendants also will receive a briefing from the FAMs with appropriate details based on their operational need to know, he said.

The NPRM said, “The FAA believes that the active flight crew should be informed of the presence of FAMs on a designated flight. Moreover, FAMs are made aware of all other law enforcement personnel flying armed on a designated FAM flight. [The proposed rule] would not require that persons flying armed be informed of the FAM’s presence, although FAMs would be informed of the presence of other armed persons. The FAA strongly believes that the protection offered by FAMs is greatly reduced when their presence and location aboard the aircraft is revealed to those who do not have a need to know.”

In practice, FAM teams — not air carriers — would be responsible for notifying other armed LEOs of their presence, FAA said.

The FAM program since 1985 has provided specially trained, armed teams of FAA civil aviation security specialists for daily deployment worldwide on anti-hijacking missions aboard all the major U.S. air carriers, FAA said.⁴³◆

Notes and References

1. Allen, Melissa. Letter from U.S. Department of Transportation to U.S. General Accounting Office (GAO), September 1, 2000. In GAO. *Aviation Security: Additional Controls Needed to Address Weaknesses in Carriage of Weapons Regulations*. Report no. GAO/RCED-00-181. September 2000, 28.
2. Allen, 27.

3. U.S. Federal Aviation Administration (FAA). *Federal Register* Notice of Proposed Rulemaking (NPRM). “14 CFR Part 108 – Aircraft Operator Security; Proposed Rule.” August 1, 1997, 41738. Screening under an approved security program includes the use of metal-detection devices, X-ray systems and related procedures. Current regulations use the phrase “explosive, incendiary, or deadly or dangerous weapons” with regard to screening. The replacement phrase “deadly or dangerous weapon, explosive, incendiary, or other destructive substance” is part of the NPRM and will be explained further in guidance material.
4. Johnson, Quinten; Cotton, Donald. Interview with Rosenkrans, Wayne. Washington, D.C., U.S., September 21, 2000. Flight Safety Foundation, Alexandria, Virginia, U.S.
5. FAA. NPRM for Part 108, 41731 and 41733. *Federal Register* NPRM. “14 CFR Parts 107 and 139 – Airport Security; Proposed Rule.” August 1, 1997.
6. FAA. NPRM for Part 108. 41733.
7. The ASAC members listed in the NPRM for Part 108 were: Air Courier Conference of America; Air Line Pilots Association, International; Air Transport Association of America; Aircraft Owners and Pilots Association; Airport Law Enforcement Agencies Network; Airports Council International; Allied Pilots Association; American Association of Airport Executives; Association of Flight Attendants; Aviation Consumer Action Project; Aviation Security Contractors Association; Cargo Airline Association; Families of Pan Am 103 Lockerbie; International Airline Passengers Association; National Air Carrier Association; National Air Transportation Association; Regional Airline Association; U.S. Department of Defense (Policy Board on Federal Aviation); U.S. Department of Justice (Federal Bureau of Investigation); U.S. Department of State; U.S. Department of Transportation (Office of Intelligence and Security and FAA Technical Center); U.S. Department of the Treasury (Customs Service, Immigration and Naturalization Service and Secret Service); U.S. Postal Service; and Victims of Pan Am Flight 103.
8. FAA. NPRM for Part 108, 41739.
9. Allen, 28.
10. Cotton, Donald. Telephone interview with Rosenkrans, Wayne. Alexandria, Virginia, U.S., September 28, 2000. Flight Safety Foundation, Alexandria, Virginia, U.S.
11. Cotton, Donald. September 28, 2000.
12. Allen, 29.
13. Allen, 28.

14. U.S. National Aeronautics and Space Administration (NASA). Aviation Safety Reporting System Report no. 385864, November 1997. NASA ASRS Report no. 393458, February 1998. ASRS is a confidential incident-reporting system. ASRS reports are voluntary and subject to several limitations. The ASRS Program Overview said, "Pilots, air traffic controllers, flight attendants, mechanics, ground personnel and others involved in aviation operations submit reports to the ASRS when they are involved in, or observe, an incident or situation in which aviation safety was compromised. ... ASRS de-identifies reports before entering them into the incident database. All personal and organizational names are removed. Dates, times, and related information, which could be used to infer an identity, are either generalized or eliminated." ASRS acknowledges that its data have certain limitations. ASRS *Directline* (December 1998) said, "Reporters to ASRS may introduce biases that result from a greater tendency to report serious events than minor ones; from organizational and geographic influences; and from many other factors. All of these potential influences reduce the confidence that can be attached to statistical findings based on ASRS data. However, the proportions of consistently reported incidents to ASRS, such as altitude deviations, have been remarkably stable over many years. Therefore, users of ASRS may presume that incident reports drawn from a time interval of several or more years will reflect patterns that are broadly representative of the total universe of aviation-safety incidents of that type."
15. NASA ASRS Report no. 385864, November 1997.
16. NASA ASRS Report no. 251326. September 1993.
17. NASA ASRS Report no. 251326.
18. NASA ASRS Report no. 392647. January 1998.
19. NASA ASRS Report no. 425503, January 1999.
20. NASA ASRS Report no. 382038, September 1997.
21. NASA ASRS Report no. 359109, January 1997.
22. NASA ASRS Report no. 281618, August 1994.
23. NASA ASRS Report no. 257470, November 1993.
24. NASA ASRS Report no. 145839, May 1990.
25. NASA ASRS Report no. 126628, October 1989.
26. NASA ASRS Report no. 87071, May 1988.
27. NASA ASRS Report no. 82992, February 1988.
28. NASA ASRS Report no. 277071, July 1994.
29. Chapman, Michael. Telephone interview with Rosenkrans, Wayne. Alexandria, Virginia, U.S., September 26, 2000. Flight Safety Foundation, Alexandria, Virginia, U.S.
30. Luckey, Stephen. Telephone interview with Rosenkrans, Wayne. Alexandria, Virginia, U.S., October 2, 2000. Flight Safety Foundation, Alexandria, Virginia, U.S.
31. U.S. General Accounting Office (GAO). *Aviation Security: Additional Controls Needed to Address Weaknesses in Carriage of Weapons Regulations*. Document no. GAO/RCED-00-181. September 2000, 17.
32. Johnson.
33. GAO. "Security: Breaches at Federal Agencies and Airports." Statement of Robert H. Hast, Assistant Comptroller General for Investigations, [GAO] Office of Special Investigations. Report no. GAO/T-OSI-00-10, May 25, 2000.
34. Eoff, David. Letter to FAA, November 20, 1997. FAA NPRM Docket no. 28978.
35. DeAnda, Louis. Letter to FAA, October 28, 1997. FAA NPRM Docket no. 28978.
36. Magaw, John. Letter to FAA, January 15, 1998. FAA NPRM Docket no. 28978.
37. Thomas, Karen. Letter to FAA, November 12, 1997. FAA NPRM Docket no. 28978.
38. U.S. Department of Transportation, Office of Aviation Enforcement and Proceedings. "Mishandled Baggage Reports Filed by Passenger: U.S. Airlines." July 2000. The data showed a range among the 10 air carriers of 4.3 reports to 8.4 reports per 1,000 enplaned passengers; 271,379 total reports were filed by 48,154,626 enplaned passengers.
39. Reaves, Brian. "Federal Law Enforcement Officers, 1996." Bureau of Justice Statistics, U.S. Department of Justice. June 1996.
40. GAO. *Aviation Security: Additional Controls Needed to Address Weaknesses in Carriage of Weapons Regulations*. 4, 10.
41. GAO. *Aviation Security: Additional Controls Needed to Address Weaknesses in Carriage of Weapons Regulations*. 18, 19.
42. Doubrava, Richard. Telephone interview with Rosenkrans, Wayne. Alexandria, Virginia, U.S., October 2, 2000. Flight Safety Foundation, Alexandria, Virginia, U.S.
43. FAA. "Fact Sheet: FAA Federal Air Marshal Program." August 2000.

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