

LECTURE

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Obama's Planned Disarming of Commercial Airline Pilots: A Mistake

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Abstract

The Obama Administration has had an institutional hostility toward the concept of arming pilots—and specifically the Federal Flight Deck Officer program—since the very beginning. The President's fiscal year 2013 budget slashes the FFDO in half, and the Transportation Security Administration has resisted the program from the beginning. Retired U.S. Marine Lieutenant Colonel Al Aitken discusses the history and effectiveness of the Armed Pilot program established in December 2002.

I'd like to discuss the inception of the Federal Flight Deck Officer program, the history of it. The Obama Administration has had an institutional hostility toward the concept of arming pilots—and specifically the FFDO program—since the very beginning.

I was chairman of the Washington pilots for the Allied Pilots Association back in September 2001. After the air space reopened, approximately four days later, I was on one of the first planes out of Washington back to Dallas for our first board of directors meeting, at which we set policy that the APA adopt a goal to arm as many of the United States commercial airline pilots as possible to defend against a repeat of the 9/11 attacks.

There were other concurrent efforts going on at the same time. Some of the ALPA leadership—ALPA is the Air Line Pilots Association, and they represent pilots from over 50 different airlines—said we cannot be Wyatt Earp and Sky King at the same time.

The vast majority of the ALPA pilots disagreed with that, and that resulted in the formation of a group called the Air Line Pilots Security Alliance (APSA) by a captain named Bob Giuda. Eventually, my good

TALKING POINTS

- The Obama Administration has had an institutional hostility to the concept of arming pilots, and specifically the FFDO program, since the very beginning.
- The Aviation and Transportation Security Act of 2001, signed into law November 19, 2001, created the Transportation Security Administration and said that “The pilot of a passenger aircraft operated by an air carrier in air transportation or intrastate air transportation is authorized to carry a firearm into the cockpit” under certain carefully specified conditions.
- Yet the Administration's institutional hostility to the program continues to this day, as we can see from its budget submission for FY 2013.
- The Administration wants to kill the program by cutting the funding in half when funding should be increased so that we can get more pilots into the program.

This paper, in its entirety, can be found at <http://report.heritage.org/h1206>

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friend Captain Tracy Price became president of that organization and grew it to well over 50,000 members, about half of which were pilots, but the rest were just cooks and bottle washers from all over America who thought their pilots should be armed.

The Aviation and Transportation Security Act

At the same time, Senator Bob Smith from New Hampshire, with young Brian Darling working for him, introduced legislation to arm America's airline pilots. That all resulted in the Aviation and Transportation Security Act of 2001, signed into law November 19, 2001, and that's the act that created the Transportation Security Administration (TSA). Here's what it said:

The pilot of a passenger aircraft operated by an air carrier in air transportation or intrastate air transportation is authorized to carry a firearm into the cockpit if:

1. the Under Secretary of Transportation for Security approves;
2. the air carrier approves;
3. the firearm is approved by the Under Secretary; and
4. the pilot has received proper training for the use of the firearm, as determined by the Under Secretary.

We went to work, and several meetings with the TSA and several letters to Secretary of Transportation Norm Mineta fell on deaf ears. They didn't want to have a thing to do with this. In fact, TSA

Administrator John Magaw said, "I will not allow pilots to be armed."

That required a 10-month extensive lobbying effort with congressional members and staff. Although some in the ALPA leadership leaned toward a limited program with a 2 percent pilot cap and a two-year sunset provision, that would have certainly killed the program very early on. An amendment by Representative Peter DeFazio removed those limits, and H.R. 4635, the Arming Pilots Against Terrorism Act, was passed 310 to 113 as an amendment to H.R. 5005 in the House of Representatives.

In the Senate, they always wanted a full-blown program, although there was opposition there as well from the Airline Transport Association (ATA). They sent a letter expressing their concerns against the program, and signed it 21 airline CEOs. Then TSA Administrator Admiral James M. Loy testified before Congress with the same concerns, almost identical to that ATA letter.

The Arming Pilots Against Terrorism Act

In spite of that, the Senate passed H.R. 5005 overwhelmingly 90 to 9, with one absent. That established the Department of Homeland Security and, inside of it, the Arming Pilots Against Terrorism Act, which mandated the FFDO program. Here is its language:

- a. ESTABLISHMENT.—
The Under Secretary of Transportation for Security *shall* establish a program to deputize volunteer pilots of air carriers providing *passenger* air transportation or intrastate *passenger* air transportation as Federal law enforcement officers to

defend the flight decks of aircraft of such air carriers against acts of criminal violence or air piracy. Such officers shall be known as "Federal flight deck officers".

b. PROCEDURAL REQUIREMENTS.—

1. IN GENERAL.—Not later than 3 months after the date of enactment of this section, the Under Secretary *shall* establish procedural requirements to carry out the program under this section.
2. COMMENCEMENT OF PROGRAM.—Beginning 3 months after the date of enactment of this section, the Under Secretary *shall* begin the process of training and deputizing pilots who are qualified to be Federal flight deck officers as Federal flight deck officers under the program.

It also has some procedural requirements. It set a deadline of three months for the TSA to create the program and, in that same three months, for them to start training pilots.

Notice that I said the word "passenger." That word hadn't been in the previous language. That got slipped in late one night just before passage, which basically carved out the cargo operations. Let me ask you a question here: Isn't a Boeing 767 full of fuel and boxes just as lethal a weapon as a Boeing 767 full of fuel and passengers? So we had to circle back around

and get the cargo pilots reinserted into that.

It also required a three-month deadline for initiating the program, but the TSA actually took five months. In the first of the many meetings that we had with the TSA, helping them design this program, their new Deputy Administrator complained they had such short notice, only three months, and I said, “Well, you’ve actually have had 15 months. You decided not to create this program.”

A Pattern of Institutional Hostility

They refused to accept a database we handed to them with 10,000 volunteer pilots on a CD. That could have gotten them started contacting pilots and putting them in the program right away, but they refused to accept it. They also refused to accept a program outline that we developed in concert with the FBI, some agents with the FBI that had designed a cockpit protection program. They completely ignored the fact we had

initiated a Professional Standards program for the pilots who would eventually be armed.

They were also hostile to the design of the program itself, and they designed it to discourage participation. They created excessive background checks that were redundant, checks that we had already endured just to become an airline pilot—checks with regard to security, financial, and criminal background checks.

The initial weapon choice was inadequate. we called it the Barney Fife pistol because it was a six-shot revolver. We produced a video that showed them it was inadequate for the job.

We had an enactment of terrorist actors on video that attacked the cockpit, and we were not able to handle them with either the six-shooter or the tasers that they asked us to use. Then we ended up with a more appropriate weapon.

Also, the carriage procedures that they designed were illogical and unsafe. They required us to transport the weapon except when in the

cockpit where we could carry it—the difference being that carrying is on-person; transport is in some sort of bag or some other carriage method. No other law enforcement agencies in the world transport their weapons in that fashion.

Conclusion

The Administration’s institutional hostility toward the program continues to this day, as we can see from the Administration’s budget submission for FY 2013. They want to kill the program by cutting the funding in half when the funding should be increased so that we can get more pilots into the program.

We knew when we set out to design this program that we would have to spend the rest of our careers trying to protect it. I’ve been retired for seven years now, and here I am again.

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