

Department of the Interior Law Enforcement Policy

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Series: Law Enforcement and Security
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Chapter 11: Airline Travel by Law Enforcement Officers

Originating Office: Office of Law Enforcement and Security

446 DM 11

11.1 Purpose. This chapter establishes policy for passenger airline travel or prisoner transport by armed DOI law enforcement officers (LEOs).

11.2 Scope. This policy applies to all DOI bureaus/offices with law enforcement programs.

11.3 Authority. This policy is issued pursuant to 112 DM 17 and 212 DM 17.

11.4 Responsibilities.

A. Director, Office of Law Enforcement and Security (OLES) is responsible for policy development and provides program guidance and oversight of the Department's law enforcement programs.

B. Bureau Directors of Law Enforcement are responsible for promulgating any counterpart policy or procedures required to implement this policy, the corresponding *Law Enforcement Handbook* chapter and any counterpart policies or procedures.

11.5 Policy. The Department has identified the operational need for DOI LEOs to fly armed, whether on official or personal travel, so they are prepared for duty at all times. LEOs may carry firearms and other intermediate weapons while traveling as passengers or while transporting prisoners upon commercial airlines.

11.6 Standards. Bureaus/offices will establish and implement policies and procedures that meet requirements specified in the *Law Enforcement Handbook* to authorize LEOs to fly armed upon commercial airlines.

Chapter 11- Airline Travel by Law Enforcement Officers

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11.1 What does this chapter do? This chapter establishes DOI policy for carrying firearms, other intermediate weapons, and performing prisoner escorts on commercial airlines by LEOs.

11.2 Are DOI LEOs allowed to fly armed? Yes, the Department has identified the operational need for DOI LEOs to fly armed, whether on official or personal travel, so they are prepared for duty at all times.

11.3 Are there mandatory training requirements? LEOs must complete the TSA “*Law Enforcement Officers Flying Armed*” training course.

11.4 What are the LEO check-in procedures at the airport?

(a) Be discrete at all times during check-in and travel. Never display firearms or unnecessarily display credentials or government identification that would alert other airline passengers that you are an LEO;

i) LEOs are never required to show their carried or checked firearms to airline personnel.

(b) Check in normally, preferably at least an hour in advance. Provide your law enforcement credentials to airline personnel and let them know that you will be flying armed as an LEO;

(c) Complete the airline's LEO flying armed paperwork;

(d) Proceed with your boarding pass and flying armed paperwork to the LEO sterile area entry point, thereby bypassing passenger security screening.

i) The LEO sterile area entry is often through the exit lane next to the passenger screening area, or through a dedicated LEO entry door, however, if the LEO is unfamiliar with the specific airport's procedures, the LEO should discretely inquire of a TSA employee.

(e) Present your documents, credentials and secondary ID to the TSA and/or airport police screening desk. Complete and sign the provided LEO log book;

i) Acceptable secondary ID can be a DOI PIV card, driver's license or other government-issued photo ID.

ii) Pistols and Tasers/CEWs are both declared in the LEO log book.

(f) Provide your confidential Unique Federal Agency Number (UFAN) for verification;

(g) Proceed to the gate after clearing the sterile area;

(h) Present your airline-provided flying armed paperwork to the gate agents. They will advise whether other LEOs or armed pilots will be on the plane and when you may board;

i) If you are traveling on multiple planes you must advise the airline gate agents on each flight segment.

ii) Individual airline procedures vary; introduce yourself to the pilot and/or lead flight attendant upon boarding each flight segment.

11.5 What if I have problems with boarding or ticketing? The airline customer service supervisor or the airline's Ground Security Coordinator (GSC) may be able to assist an LEO at the ticket counter or the boarding gate. The airline's GSC has been trained to handle a wide range of security issues and LEOs are encouraged to contact them in such circumstances. The airline's GSC cannot assist with airport-related security issues such as access to the sterile area. The TSA and airport police are in charge of these areas and also have supervisory personnel available to assist.

11.6 What if my credentials are questioned or need further verification? If authenticity of the LEO's law enforcement credentials is questioned by the airline or screening personnel, the LEO should contact their bureau law enforcement supervisor. If denied boarding with a weapon the LEO should:

(a) Consider involving the GSC or other supervisor,

(b) Bureaus procedures should define consistent back-up plans.

11.7 What if my UFAN is questioned or needs further verification?

(a) UFAN problems can often be resolved quickly. Common errors include: the TSA agent/airport police officer has incorrectly looked up the wrong agency or number in the verification book, is using an outdated verification book, or the LEO is using an outdated UFAN. LEOs should contact their bureau/office law enforcement supervisor to assure that they have the current UFAN.

(b) LEOs, through bureau/office LE managers, should advise OLES of UFAN problems or other TSA-related problems that cannot be immediately resolved. These problems often require liaison with TSA headquarters, which can take more than 24 hours to resolve.

11.8 What types of weapons are allowed on board an aircraft? LEOs may not transport prohibited items that are not necessary for the performance of their official duties, whether on official or personal travel.

Weapon Type	Not Permitted / Permitted On Board Aircraft	Handling
Pistol	Permitted	<ul style="list-style-type: none"> • Keep complete control of at all times and concealed, unless in uniform
Oleoresin Capsicum (OC) spray	Not-Permitted	<ul style="list-style-type: none"> • May <u>only</u> be carried in checked baggage • Limited to one OC self-defense spray canister, not exceeding 118ml / 4 fl. oz. • It must be packaged to prevent accidental discharge • Transport in a well-sealed Nalgene or similar hard plastic water bottle with a gasket sealed lid is recommended
Tasers / CEW	Permitted	<ul style="list-style-type: none"> • Keep complete control of at all times and concealed, unless in uniform • Tasers are not allowed in checked baggage
Knives	Permitted	<ul style="list-style-type: none"> • Keep complete control of at all times and keep concealed, unless in uniform
Extra ammunition	Permitted	<ul style="list-style-type: none"> • Ammunition carried upon your person must be contained in magazines. Ammunition in checked baggage must be transported in factory or similar packaging (11 lbs [5kg] maximum)
Long guns	Not-Permitted	<ul style="list-style-type: none"> • Must be unloaded and transported in a locked and secure hard-sided case designed for rifle transport

		<ul style="list-style-type: none"> • The LEO must declare to the airline that their baggage contains a firearm • The LEO must personally hold the key or combination to the rifle case and must <u>not</u> secure the container with a TSA travel padlock
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11.9 What is the proper way to carry pistols and intermediate weapons on board commercial aircraft? LEOs must keep their firearm and intermediate defensive weapons concealed and out of view at all times, either on their person or in immediate reach. LEOs in uniform will wear their duty weapon and Taser (not concealed) on their person in holsters. Weapons will not be placed in an overhead storage compartment. LEOs will not surrender their weapon to airline personnel.

11.10 What are the procedures to carry firearms or Tasers/CEWs in checked baggage? In order to properly check firearms, they must be unloaded, and in addition:

(a) Declare the firearms when checking in;

(b) Firearms must be placed in a hard-sided, locked container specifically designed for pistol or rifle transport;

i) The aircraft operator generally will require that a “Firearm Unloaded Declaration” form be placed inside the locked container.

(c) Ammunition must be securely packaged in factory or similar packaging. Ammunition magazines must also be securely boxed. Ammunition should be packed within the hard-sided locked container containing the firearm.

(d) The key or combination must be kept with the LEO. Securing firearm containers with TSA travel locks is not authorized.

(e) Tasers/CEWs are not allowed in checked baggage. Bureaus should define procedures for transportation of Tasers that are not carried on board by LEOs.

11.11 What are LEO procedures during flight?

(a) LEOs should determine the location of other LEOs on board the aircraft from airline personnel.

(b) Maintain complete control of your weapon at all times,

(c) The Pilot-in-Command is the In-Flight Security Coordinator and is the final authority on board the aircraft and can refuse to allow an armed LEO to board the aircraft due to safety reasons.

(d) Allow the air crew to do their jobs. They have been trained to handle most crisis situations. Assist them only if requested to do so.

(e) LEOs may not consume alcohol within eight hours of departure or during flight.

11.12 What is the role of the Federal Air Marshals (FAMs)? FAMs are teams of specially trained Federal LEOs assigned to selected flights and protection of their identity is critical. Their mission is to take necessary action to prevent aircraft hijacking and loss of life. They are the primary LEOs on board once the external doors are closed.

11.13 What is the role of a Federal Flight Deck Officer (FFDO)? The FFDO is a pilot who has completed TSA training, carries an authorized firearm, and may use deadly force to protect the flight deck of the aircraft. If a pilot seated anywhere in the plane is a FFDO, they must notify the FAMs and all armed LEOs on board the aircraft.

11.14 How should an LEO react if there is a disruptive passenger? Only intervene when requested by the air crew, or when human life or the aircraft itself is at risk.

11.15 How should an LEO respond if the aircraft is hijacked? If a FAM team is on board, do not become involved until asked to do so. If a FAM team is not on board, take necessary action to prevent loss of life or serious injury.

11.16 What is my authority as a DOI LEO on board a flight? Arrest authority granted by a LEO's bureau or office is not expanded when flying armed. An LEO may detain an individual when the LEO has a reasonable, articulable suspicion to believe that a crime is about to be committed, a crime is being committed, or a crime has been committed by the individual in question.

11.17 What are the procedures for flying armed on an international flight? If you plan to transport a prisoner, or if you are planning to fly armed, or transport a weapon on an international flight, you must receive written approval from the Bureau Director of Law Enforcement (BDLE). They can assist in acquiring required written approval from the Department of State with specific procedures from the foreign destination authorities. OLES will provide State Department liaison assistance if needed. Failure to follow proper procedures could result in your arrest upon arrival in a foreign country.

11.18 What are the procedures for the transport of prisoners under the escort of an armed LEO? LEOs must notify Aircraft Operators at least 24 hours in advance of the scheduled departure and they must also provide;

- (a) The flight number;
- (b) Identity of the prisoner;
- (c) The level of risk (determined by the agency)

Level of Risk	Armed LEOs per Prisoner	Flights longer than 4-hours
High Risk	2 LEOs for each prisoner	Same
Low Risk	1 LEO for each prisoner	2 LEOs required and may

		supervise up to two prisoners
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11.19 What are the requirements of an LEO while transporting a prisoner? When transporting a prisoner, LEOs will:

- (a) Ensure the prisoner has been searched and has no weapons or means of escape and is restrained with an appropriate device allowing for minimal hand movement (leg irons are not permitted);
- (b) Carry their firearm on their person and be cognizant of its location at all times;
- (c) Check in at least one hour prior to scheduled departure;
- (d) LEOs with prisoners must board first and deplane last;
- (e) Accompany the prisoner and keep the prisoner under control at all times while on the aircraft;
- (f) Be seated separating the prisoner from any aisle in the rearmost seats when practical, and away from the emergency exits and lounge area.
- (g) Aircraft Operators should not provide prisoners with food, beverages, or metal eating utensils unless authorized by the LEO.

11.20 What are some important reference materials?

- (a) Title 49 CFR 1544.219 (Carriage of accessible weapons).
- (b) Title 49 CFR 1544.221 (Carriage of prisoners under the control of armed law enforcement officers).