

STATEMENT OF GUN OWNERS OF AMERICA WITH RESPECT TO NOTICE BY THE FEDERAL AVIATION ADMINISTRATION REQUESTING PUBLIC COMMENTS DOCKET NO. FAA-2001-111229

Gun Owners of America, a not-for-profit grassroots membership organization representing over 300,000 American gun owners, submits the following comments to the FAA with respect to its notice requesting public comments. (Docket No. FAA-2001-111229; "Firearms, Less-Than-Lethal Weapons, and Emergency Services on Commercial Air Flights.")

(1) It was the clear intent of Congress to arm pilots with firearms for the defense of their crews and passengers. This was also the clear intent of the provision's sponsors, including Sen. Bob Smith (R-NH) and Rep. Don Young (R-AK). Thus, the FAA should implement this law in good faith.

Senator Smith (along with several other Senators) stated in a letter to Transportation Secretary Norman Mineta, dated December 21, 2001, that:

Both houses of Congress, as well as the Airline Pilots Association and Allied Pilots Association, have demonstrated support for providing pilots the means to effectively protect commercial aircraft from violent acts by terrorists. . . . We believe that armed pilots are a first line of deterrence to terrorism, because terrorists will know that armed pilots will be behind that reinforced cockpit door to defend the aircraft. We further believe that armed pilots are the last line of defense against terrorism, because when all else fails, an armed pilot will be provided with the most effective means to disable a terrorist. Accordingly, we hope that you and the new Undersecretary will move expeditiously to implement Section 128 [of the Aviation and Transportation Security Act].

Likewise, Representatives Don Young and John Hostettler (R-IN)-along with about 60 other Representatives-told Secretary Mineta in December that, "We hope that you and the new Under Secretary will move expeditiously to implement Section 128 [of the Aviation and Transportation Security Act], in order that these indispensable provisions [allowing pilots to carry guns] can be carried out seamlessly and without delay." Further, Gun Owners of America agrees with the sponsors of this legislation that all pilots who participate in this program should do so on a voluntary basis.

(2) Pilots should be armed with real guns, not "toy guns" like tasers or stun guns. These two types of "toy guns" would simply not serve as an effective deterrent to terrorism:

First, there is the hand-held stun gun which works only when the pilot makes physical contact with the attacker. On its web site, D&D Security Products, which sells this stun gun, states: "They should not be used to defend yourself against an attacker with a firearm or knife."

IN OTHER WORDS, STUN GUNS ARE DESIGNED SPECIFICALLY FOR UNARMED

ATTACKERS. THEY WOULD BE USELESS AGAINST ARMED TERRORISTS.

Second, there is the type of stun gun (a taser) that "launches remote probes up to 15 feet." This type of stun gun can be thwarted by heavy clothing. And, if the pilot misses on the first shot at a distance of 15 feet, the pilot is effectively disarmed.

Captain Tracy Price is the Vice Chairman of the Airline Pilot's Security Alliance. Writing in *The Washington Times*

on January 17, 2002, he revealed that "law-enforcement officers tell us that the taser/stun gun is useless against multiple attackers and attackers armed with guns or knives. Recovery time from being stunned is virtually instantaneous and hand-to-hand combat will then be required. Not a good idea when facing multiple armed, trained and suicidal attackers."

(3) According to the new law, the Transportation security chief must approve firearms training for pilots. Thus, the FAA could incorporate one to two hours of training into the standard curriculum that pilots must already receive when they complete their four-to-five day annual training requirement-a course of study mandated for pilots every nine months. (Firearms training could mean or be satisfied by former military training, or private training at or above the standard set by the undersecretary of transportation security.) Pilots could also be trained with respect to aviation-related issues such as Rules of Engagement.

(4) The federal government should not try to second-guess the airlines with respect to the types and numbers of firearms which may be carried. Rather, this determination should be delegated to the airlines themselves. In particular, the airline should be allowed to choose to purchase firearms or to require pilots to purchase a standardized model of firearm. Given that American Airlines, for example, could order 14,500 firearms at one time, the FAA is hardly in a position to determine what types of firearms would be available in those quantities, let alone what firearms could be procured quickly and economically in those quantities without driving costs to a prohibitive level.

(5) The McClure-Volkmer law (passed in 1986) may already allow pilots to carry firearms in locked boxes. However, a better solution would be for the pilots who have successfully completed annual training to be certified as law enforcement officers for the limited purpose of allowing them to carry firearms on their persons, nationwide. With 1500 pilots sleeping over in hubs such as Dallas and Chicago, an airport armory could accumulate long lines of pilots which would make "security checkpoint" lines look tame by comparison. In addition, armories might raise security concerns, both in terms of their robbery potential and in terms of claims by non-pilots with forged credentials.

In foreign airports, such as London, the number of American pilots from American carriers may total no more than 80 or 90 at any given time, making an armory more of a manageable issue and less of a potential security concern.

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