

**FISH AND WILDLIFE SERVICE  
LAW ENFORCEMENT**

**Law Enforcement**

**Part 442 Firearms and Use of Force**

**Chapter 4 Airline Travel and Law Enforcement Equipment**

**442 FW 4**

**4.1 What is the purpose of this chapter?** This chapter establishes policy for Service law enforcement officers traveling by air with law enforcement equipment.

**4.2 What is the scope of this chapter?** This chapter applies to Service law enforcement officers authorized to carry weapons as part of their official duties. It applies to law enforcement officers in the Office of Law Enforcement and the National Wildlife Refuge System.

**4.3 What is the policy?** Service law enforcement officers traveling onboard passenger airlines:

- A. May carry their Service weapon(s) while on or off-duty, in compliance with this chapter.
- B. May transport specific categories of law enforcement equipment (e.g., long guns, excess ammunition, and chemical agents) in checked baggage as specified in this chapter.
- C. Must transport prisoners in accordance with 49 CFR 1544.221 and the requirements in this chapter.

**4.4 What are the authorities for this chapter?**

- A. Aircraft Operators Security: Air Carriers and Commercial Operators (49 CFR 1544).
- B. Carriage by Aircraft (49 CFR 175).
- C. 446 DM 11, Carrying of Firearms on Airlines.
- D. The Lacey Act Amendments (16 U.S.C. 3375(b))

**4.5 What terms do you need to know to understand this chapter?**

- A. Federal Air Marshal (FAM). A Federal Air Marshal is an individual employed by the Transportation Security Administration (TSA) and trained to take preventive action during a hijacking or other security incident onboard aircraft.
- B. Federal Security Director (FSD). A Federal Security Director is an employee of the TSA responsible for coordination of TSA security activities at an airport.
- C. Ground Security Coordinator (GSC). A Ground Security Coordinator is an employee of an airline who is designated to interface with aircrew, law enforcement officers, and others in matters of security.

**4.6 What requirements and procedures must Service law enforcement officers follow when carrying firearms and equipment onboard passenger airlines?**

**A. Accessible Weapons.** Service law enforcement officers carrying accessible weapons onboard a passenger airline must comply with 49 CFR 1544.219 and must:

- (1) Have met all applicable weapons training and proficiency requirements and have Service authorization to carry those weapons in connection with assigned duties (also see 442 FW 1).
- (2) Only carry their Service-issued handgun(s) and authorized impact weapon(s). Officers may not carry self-defense spray in the passenger compartment (see section 4.6B).
- (3) Have successfully completed the "Law Enforcement Officers Flying Armed" training program.

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(4) Notify the airline of their intent to carry an accessible weapon(s) at least 1 hour prior to aircraft departure, or in an emergency, as soon as practicable.

(5) Identify themselves to the airline by presenting their badge and credentials.

(6) Comply with airline documentation, notification, and boarding procedures.

(7) Not consume alcoholic beverages while onboard an aircraft or within the 8-hour period prior to boarding an aircraft.

(8) When in plain clothes, ensure their weapon remains concealed, either on their person or within immediate reach. Officers must not put their weapons in overhead storage compartments.

(9) When in uniform, ensure their weapon is worn on their person.

(10) Have at least one approved method of restraint (e.g., handcuffs with key, flexcuffs, etc.) readily accessible.

(11) Maintain absolute control of their weapon at all times. Officers must never surrender a weapon to airline personnel.

(12) Ensure they ask if and where there are any other armed law enforcement officers, including FAMs.

**B. Checked Equipment Procedures.** When a Service law enforcement officer does not meet the requirements in section 4.6A or needs to travel with equipment unsuitable for transport within the passenger compartment (e.g., long guns, excess ammunition, chemical agents), the officer must comply with the following procedures:

(1) Firearms. When transporting firearms in checked baggage, Service law enforcement officers must:

(a) Declare to the airline that the baggage being checked contains an unloaded firearm(s).

(b) Ensure any firearm placed in checked baggage is unloaded and secured within a hard-sided container. The container must be locked and the officer must control the key or combination.

(c) Ensure any "Firearms" baggage labeling required by the airline is placed inside the baggage and is not affixed to the exterior where it is readily visible.

(d) Ask if further screening requires someone to open the baggage. If such screening will occur, the officer may contact the FSD and request the baggage be screened, inspected, sealed, and re-locked in the officer's presence under "special consideration screening" procedures.

(2) Ammunition. Ammunition must be securely packed in boxes or other packaging specifically designed to carry small amounts of ammunition. Ammunition and magazines must also be securely boxed. This restriction does not apply to ammunition being carried in the passenger compartment when a Service law enforcement officer is traveling with an accessible weapon (49 CFR 1544.219).

(3) Chemical Agents. Officers may only transport self-defense spray in checked baggage. Officers may only pack one canister that:

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(a) Does not exceed 118 ml (4 fluid ounces) by volume, and

(b) Incorporates a positive means to prevent accidental discharge.

C. Service law enforcement officers may not carry firearms onboard international flights unless they have authorization to carry a firearm in the destination foreign country (see 442 FW 1.13B).

**4.7 What are the prisoner transport procedures for Service law enforcement officers and passenger airlines?**

**A. Service Law Enforcement Officers Transporting Prisoners.** When transporting a prisoner, officers must:

(1) Carry their firearm on their person and comply with section 4.6A.

(2) Notify the airline at least 24 hours prior to departure, or as soon as possible, of the flight information, the identity of the prisoner, and whether the prisoner is considered high or low risk. (See 49 CFR 1544.221 for additional risk-related requirements.)

(3) Arrive at the check-in counter at least 1 hour prior to the scheduled departure.

(4) Ensure the prisoner has been searched and has no weapons.

(5) Be seated between the prisoner and any aisle.

(6) Accompany and keep the prisoner under control at all times.

(7) Ensure the prisoner is restrained by a device that allows for minimum hand movement. Officers may not use leg irons.

**B. Airline Responsibilities.** When transporting prisoners, Service law enforcement officers should expect the airline will:

(1) When practicable, have the officer board the prisoner prior to other passengers and deplane after all other deplaning passengers;

(2) Assign the prisoner a seat that is neither located in any passenger lounge area nor located next to or directly across from any exit and, when practicable, seat the prisoner in the rearmost seat of the passenger cabin;

(3) Not provide a prisoner with food, beverage, or metal eating utensils unless the officer authorizes it.

**4.8 How do Service law enforcement officers resolve pre-flight screening and boarding issues?**

Specific procedures related to law enforcement officer flight activities may vary among airports, passenger screening operations, and airlines. If a Service law enforcement officer encounters difficulty, he/she should immediately contact the appropriate airport personnel (as specified below) to seek a resolution. If the matter can not be resolved satisfactorily, the officer must submit a memorandum to the Chief, Office of Law Enforcement (OLE) or Assistant Director – National Wildlife Refuge System, through the appropriate chain of command as soon as he/she can. A copy will be provided to the TSA and the Director, Office of Law Enforcement, Security and Emergency Management (OLESEM).

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**A. Screening.** If an officer encounters difficulties at the screening area, the officer must request to speak with the TSA Federal Security Director (FSD).

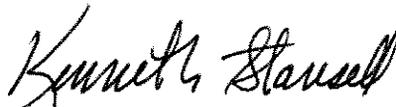
**B. Airline.** If an officer encounters difficulties at an airline's ticket counters, gates, aircraft, etc., the officer must request to speak with the operator's Ground Security Coordinator (GSC).

**C. General.** If airline or screening personnel question the authenticity of the Service law enforcement officer's credentials, the officer must provide the Department of the Interior (DOI) Watch Office contact number and request they be contacted immediately. The Watch Office maintains a record of all DOI law enforcement officers (including name, title, badge number, and delegating bureau or office) so they can verify credentials.

**4.9 What should Service law enforcement officers do in response to incidents onboard passenger airlines?** Service law enforcement officers must comply with the following guidance in response to:

**A. Hijacking.** In the event of a hijacking, if a Federal Air Marshal (FAM) is onboard the aircraft, the Service law enforcement officer should take no action unless requested to do so by the FAM. If a FAM is not onboard or has been incapacitated, the officer may take action to prevent imminent loss of life or serious bodily harm to the passengers or crew.

**B. Other In-flight Disturbances.** During an in-flight disturbance (e.g., unruly passenger), the Service law enforcement officer must not attempt to physically intervene unless specifically requested to do so by a uniformed crewmember or unless human life is clearly and immediately at risk.



**Acting** DIRECTOR

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