



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Assistant Director

99 New York Ave NE
Washington, DC 20226
www.atf.gov

Stevens
175.10
Exceptions
14-0150

U.S. Department of Transportation
Pipeline and Hazardous Materials Administration
Attention: Patricia Klinger, Deputy Director
Governmental, International and Public Affairs
1200 New Jersey Avenue, SE
Mail Stop E27-330
Washington, DC 20590

Dear Ms. Klinger:

We understand that your agency issues Hazardous Materials Regulations and that these regulations have defined electroshock weapons (further identified as Taser Conducted Electrical Weapons) as dangerous goods, which are prohibited on commercial aircraft within the United States.

This regulation is causing a significant hardship for the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). The nearly two thousand special agents employed by ATF are assigned the duties of enforcing the federal firearm and explosives laws specifically targeting the nation's most violent criminals. All of our agents are issued firearms and required to be available for duty at any time. In addition, ATF has five full-time Special Response Teams (SRT) based around the country to facilitate the high risk law enforcement operations that ATF agents are frequently involved in. ATF agents and SRT members are also issued less lethal devices, which include the Taser Conducted Electrical Weapons (CEW). In fact, ATF was one of the first federal agencies to issue and use the Taser CEW as a use of force option for its agents.


ATF special agents often use commercial airlines when traveling to do their jobs. ATF agents are required by agency policy and allowed by federal law to carry firearms on their person while traveling on commercial airlines, yet are not allowed to carry their government issued Taser CEWs on their person or in checked baggage. This regulation is putting ATF special agents as well as all other agencies at risk by not having access to their required defensive equipment both while flying and at their travel destinations. In fact, ATF agents have been requested by airline employees to assist with the subduing of unruly potentially dangerous passengers during flights on several occasions.

Patricia Klinger, Deputy Director

The ATF Special Response Teams average over 200 operations a year throughout the USA and its territories. The Transportation Safety Agency (TSA) has specific regulations written into its operational directives expediting the check-in process of ATF-SRT equipment at airports due to the frequent travel of our agents; however, ATF-SRT has to ship its Taser CEWs to operational locations and may or may not have these critical less lethal devices available due to time constraints.

ATF respects your agency's role in keeping airline travel safe. We have reviewed your documentation reflecting concerns with Taser CEWs containing lithium batteries and nitrogen firing mechanisms. ATF agents have been carrying and using Taser CEWs for 10 years with zero safety issues. We believe that Taser CEWs and their internal components are safe when carried by law enforcement officers on their persons onboard aircraft in conjunction with their firearms as well as when properly packed in baggage. We hope that you can review this regulation to provide a remedy that will provide law enforcement officers with an exception to allow carriage of Taser CEWs when traveling on commercial airlines.

Sincerely,

A handwritten signature in black ink, appearing to read "R. B. Turk". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

Ronald B. Turk
Assistant Director
Office of Field Operations