

Congress of the United States
Washington, DC 20515

September 5, 2014

Honorable Anthony Foxx
Secretary
Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

Honorable Jeh Johnson
Secretary
Department of Homeland Security
Washington, D.C. 20528

Honorable Eric Holder
Attorney General
Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530-2001

Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th St. SW
Washington, DC 20554

Dear Honorable Foxx, Johnson, Holder, and Wheeler:

While continually emerging wireless technologies bring many benefits to society, there are significant concerns about the safety, security and comfort implications of potential voice and wireless technology use on commercial aircraft. We urge you to continue the ban on voice calls on all commercial aircraft, and believe that your agencies must also work collaboratively to address safety and security concerns raised by the potential introduction of other wireless capabilities before they are permitted in-flight. While we support advancements in technology that have provided airline passengers with the ability to conduct business, communicate with family or choose their own entertainment options, we believe that a multi-agency, comprehensive analysis should be undertaken to address any potential risks so as to ensure passengers and crewmember safety.

We are extremely concerned that the Federal Communications Commission (FCC) has offered a proposal to allow the use of wireless communication devices on commercial flights that does not fully address these safety and security issues, nor does it seem coordinated with your other agencies which have a role in assessing flight safety issues. At the same time, the Department of Transportation has only sought comments on whether allowing in-flight voice calls would be

disruptive and unfair to passengers, for which the agency intends to issue a rulemaking to address the issue by year's end.

Passengers making voice calls during flight could impact the ability of crewmembers – flight attendants and pilots – to perform their jobs, keep passengers safe and the cabin environment calm. Arguments in an aircraft cabin already start over mundane issues, like seat selection, reclining seats and overhead bin space, and the volume and pervasiveness of voice communications would only serve to exacerbate and escalate these disputes. The nature of an aircraft cabin would make it impossible for passengers to remove themselves from loud or unwanted conversations and disputes may ensue. Instead of focusing on required safety-related tasks, flight attendants may be forced to intervene in or mediate disputes between passengers on appropriate content and volume of voice calls, thus distracting their attention from other passengers and job responsibilities. Additionally, when noise and distraction levels rise because of talking passengers, the ability to hear important safety announcements, either from the cockpit or cabin, will be impaired and crucial information may be missed. Given these potential dangers, further study is needed to fully assess the safety and security issues that may stem from allowing voice communications on aircraft.

The use of wireless communication devices should also be subject to a multi-agency review to inquire upon possible safety or security effects to the aircraft or flight. Concerns have been expressed that wireless technologies can cause radio interference, can be used to tamper with avionics or flight controls, or could be used to interfere with other passengers devices. The potential also exists for wireless devices to be used to hide or trigger on-board explosives. The lessons of the 9/11 terrorist attacks dictated that federal regulators work together to stop vulnerabilities before they can be exploited. We believe it is prudent for your agencies to engage in such a multi-agency review before wireless technologies are more broadly permitted for use on commercial aircraft.

Finally, federal regulators must ensure that an Airborne Access System capable of providing broadband access will not cause interference with aircraft operating systems. As access to in-flight broadband becomes more common, efforts will be made to provide stronger connectivity in order to allow passengers greater access to over-the-top communications and streaming media. While this innovation is laudable, it is not without risk. There are similar concerns about passenger comfort and the potential for disputes, as well as the possibility that enhanced connectivity could be used illicitly to override or interfere with flight control systems. Accordingly, efforts must be made to assess and eliminate the security and safety risks that may arise as broadband equipment is upgraded on commercial flights.

The various concerns raised above fall in the jurisdictions of various agencies. We believe it would be shortsighted and potentially harmful for each of your agencies to strictly analyze this issue based on specific jurisdictional guidelines, as it appears the FCC and DOT have currently done. By working together, the government can fully assess the comprehensive impact these proposals would have on passengers and crewmembers, as well as the safety and security of U.S. aviation.

In light of these serious concerns, we respectfully urge your departments and agency to continue the ban on voice calls and to work collaboratively to ensure that these issues and all other potential ramifications are fully addressed.

Sincerely,

A handwritten signature in blue ink that reads "David B. McKinley". The signature is stylized with a large, circular flourish at the beginning and a long, sweeping underline that extends to the right.

David B. McKinley, P.E.
Member of Congress

A handwritten signature in blue ink that reads "Daniel Lipinski". The signature is written in a cursive style with a large, prominent "D" at the start.

Dan Lipinski
Member of Congress