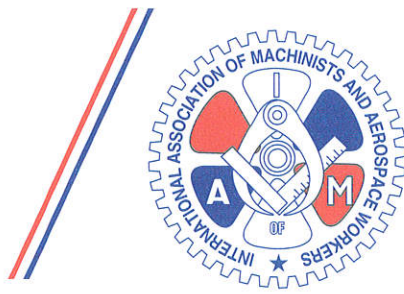


**International  
Association of  
Machinists and  
Aerospace Workers**



9000 Machinists Place  
Upper Marlboro, Maryland 20772-2687

Area Code 301  
967-4500



OFFICE OF THE INTERNATIONAL PRESIDENT

September 13, 2016

Dear Representative,

On behalf of the largest airline union in North America and the thousands of airline customer service representatives that we proudly represent, we strongly urge you to sign on to Representative John Garamendi's (D-CA) letter to Secretary of Transportation Anthony Foxx and United States Attorney General Loretta Lynch clarifying Congressional intent as it pertains to Section 114 of the Aviation and Transportation Security Act. The current interpretations by both the Department of Transportation ("DOT") and Department of Justice ("DOJ") fails to provide protections for commercial airline gate and ticket agents as Congress intended.

Across the country, customer service representatives are being physically assaulted on a daily basis. Some have been kneed and punched in the face, some have had to dodge projective luggage, and others have had their clothes torn. Airline passengers who are upset about paying more for airline tickets, lost luggage, flight delays and cancellations are taking their frustrations out on innocent airline workers who are simply trying to do their job. Their injuries in some cases are life altering.

Under current federal law, Section 114 of the Aviation and Transportation Security Act establishes federal penalties for interference with security personnel or airline personnel who have security duties. Airline customer service representatives who control access to an aircraft or other secure areas should be considered as having security functions. As a result, we strongly believe it was Congress intent to protect airline gate and ticket agents that have inherent security duties included in their job responsibilities. However, both DOT and DOJ have historically interpreted this statute as applicable only to TSA agents and law enforcement personnel. The legislative history of this statute clearly shows that the current interpretation is NOT in line with the intent of Congress.

Airline customer service representatives deserve the same protection against hostile passengers that TSA agents and law enforcement officers currently receive. We respectfully ask that you stand with customer service representatives by signing on to Representative Garamendi's letter to DOT and DOJ. (SEE DEAR COLLEAGUE LETTER BELOW)

If you have any questions or concerns, please do not hesitate to give me a call (202) 420-5902 or email [hsolomon@iamaw.org](mailto:hsolomon@iamaw.org).

Sincerely,

Hasan Solomon, Esq.  
Legislative Director

Dear Colleague,

I invite you to join me in sending a letter to the Department of Transportation (DOT) and the Department of Justice (DOJ) clarifying Congressional intent as it pertains to Section 114 of the Aviation and Transportation Security Act. The current interpretation by these agencies fails to provide critical protections for airline and airport gate and ticket agents as Congress intended.

In the late fall of 2001, following the 9/11 attacks, Congress passed, and the President signed, the Aviation and Transportation Security Act, which included sweeping reforms to airport security protocols. Section 114 of this legislation, an amendment offered by Senator John Kerry, set penalties for interfering with airport and airline personnel who have security duties. A 2002 letter from Senator Kerry clarified that "gate agents, ramp personnel and airline workers who control access to an aircraft or other secure area should be considered as having security functions". Unfortunately, DOT and DOJ have narrowly focused these protections on TSA agents and law enforcement officers.

In recent years we have seen a troubling rise in assaults on airline customer service representatives. In one recent attack, a violent passenger unleashed an unprovoked barrage of punches to a victim's head, pulled the employee down by her hair, and proceeded to kick her in the stomach and legs. While this passenger was arrested and charged with battery, the vast majority of perpetrators face no legal consequences and are allowed to continue their travels. Air travel can be stressful and frustrating. But no amount of inconvenience to a passenger can excuse a violent assault on an airline employee who is doing his or her job.

*Endorsed by: International Association of Machinists and Aerospace Workers, Communication Workers of America, Transportation Trades Department (AFL-CIO),*

Please contact Garrett Durst in my office at [Garrett.Durst@mail.house.gov](mailto:Garrett.Durst@mail.house.gov) or 202-225-1880 to be added to the letter.

Sincerely,

John Garamendi

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

The Honorable Loretta Lynch  
United States Attorney General  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Secretary Foxx and Attorney General Lynch:

We write to you today to clarify the intent of Congress as it pertains to the interpretation and implementation of 49 U.S.C Section 46503 (Interference with security screening personnel). It has come to our attention that the Department of Justice (DOJ) and Department of Transportation (DOT) have historically interpreted this statute as applicable to only TSA agents and law enforcement personnel. The legislative history of this statute clearly shows that the current interpretation is not in line with the intent of Congress.

In the late fall of 2001, following the 9/11 attacks, Congress passed, and the President signed, the Aviation and Transportation Security Act, which included sweeping reforms to airport security protocols. Section 114 of this legislation, an amendment offered by Senator John Kerry, set penalties for interfering with airport and airline personnel who have security duties. Attached to this letter, you will find a 2002 letter from Senator Kerry clarifying that “gate agents, ramp personnel and airline workers who control access to an aircraft or other secure area should be considered as having security functions”.

In practice, many gate and ticket agents have inherent security duties included in their job responsibilities. We have met with a number of them over the last few months and confirmed this. While their security responsibilities might not be as overt as those of a TSA agent, it is without question that they provide a valuable barrier between unruly passengers and an aircraft.

Additionally, we are disturbed by the stories we have heard directly from agents detailing increased verbal and physical attacks on gate agents, ramp personnel, and airline workers. It is imperative that DOJ and DOT implement this statute as Congress originally intended. We greatly appreciate your attention to this matter and we look forward to your response.