

# “FLIGHT SCHOOL SECURITY ACT OF 2013”

## FACT SHEET

- Under current law, a flight instructor, pilot school, or aviation training center may provide training in the operation of any aircraft having a maximum certified takeoff weight of more than 12,500 pounds to an alien (as defined in section 101(a)(3) of the Immigration and Nationality Act) or to any other individual specified by the Secretary of Homeland Security only if that person notifies the Secretary that the alien has requested such training and submitted to the Secretary personally identifiable information, including fingerprints, and the Secretary has determined that the individual does not present a risk to aviation or national security. (*See 49 USC 44939*)
- A security gap exists in the law insofar as a flight instructor, pilot school, or aviation training center is not required to do a simple check against the terrorist watchlist of non-alien—United States citizens—and receive a determination from the Assistant Secretary (TSA) as to whether that individual presents a risk to aviation or national security before providing flight training.
- Although, as a matter of practice, TSA checks the name of every individual holding a valid airman’s certification issued by the Federal Aviation Administration (FAA) against the terrorist watchlist on a daily basis, it does not check the names of those seeking or undertaking flight training against the watchlist until after they receive flight school training and apply for a certificate to take their first solo flight.
- The “Flight School Security Act of 2013” would require that any individual, who does not hold a valid airman’s certification issued by the FAA, seeking training in the operation of any aircraft having a maximum certified takeoff weight of more than 12,500 pounds, including a United States citizen, be checked against the terrorist watchlist to ascertain if the individual may pose a threat to aviation or national security or a threat of terrorism and receive a determination from the Assistant Secretary that the individual does not pose a threat that warrants denial of access to such training.
- The “Flight School Security Act of 2013” would subject anyone seeking flight school training to the same terrorist watchlist check that anyone seeking to board a commercial flight undergoes. It does not compel United States citizens to provide the exhaustive list of personally identifiable information, including fingerprints, which are required to be provided by an alien seeking flight training.
- The “Flight School Security Act of 2013” seeks to ensure that no person who poses a security threat that is significant enough to be blocked from boarding an aircraft is allowed to learn to fly one.