

THE TRAVEL JUNKIE

How To Fly Without ID

by Julia / Published January 1, 1970 at 10:00 am



Joby Weeks, a young world traveller, pushes the envelope and refuses to produce "official" ID when flying. Read on as Joby investigates an activity which, he says, has no legal requirement and violates our fundamental rights.

As a die-hard Constitutionalist, I believe that we still have an absolute, unfettered, God-given right to travel from point A to point B without permission from the state -- on land as well as in the air.

Yet, when I step up to an airline's ticket counter, I hear the agent recite a familiar litany. The monologue goes, "has your bag been unattended; have you accepted gifts from a stranger; can I see your identification please?"

This Nazi procedure of "your papers, please" has never been appropriate for our country.

I decided to do a little research and put a few questions to the test: Do we really need government-issued ID to fly? Is this a federal law or is it just an excuse that serves the airlines' private financial goals? Isn't it our right to travel freely?

I've travel a lot in the last several months, and on those trips I researched this issue about the necessity for producing identification. I have talked with agents, and their supervisors, of several major airlines in cities across America, and have gradually pieced together my own view of the real legal situation regarding our right to travel.

I tested this finding with several airlines. When asked for identification, I produced only my Sam's Club card, or my travel agent's ID card, or a Costco card. These are all picture ID's, but they are privately issued, and do not even have a signature on them. The airline agents just freaked out, and demanded to see some state-issued ID. They routinely told me that "it was federal law!" The government absolutely required me to cough up an "official" ID card, without which the agent couldn't even THINK of letting me on the plane.

I told the agents that I could not find any federal regulation mandating that type of identification, and then asked them to cure my ignorance and please cite the regulation.

Now, at this point, individual airline agents have reacted differently. Some called in their supervisor.

Alaska Air employees were the most gracious; Northwest agents were the worst -- they were rude, belligerent and hostile brats. But they all folded, every time. A particularly nasty Northwest employee marched me all the way back to the electronic detection equipment, made me pass through it a second time, and had the guard thoroughly search my carry-on bag. The same airline agent-from-hell actually made rude and demeaning remarks to me as we trudged back to the counter -- and then she let me on the plane.

Alaska Air was much more reasonable -- the agent just issued my seat pass, and commented that some people seem tenaciously to hold the thought that they have the right to travel without producing government ID -- to which I responded, "yes, amazing, isn't it -- and I'm one of them."

In Seattle, an agent said AS HE HANDED ME MY TICKET, "you know, if you don't show me any government-issued ID, I can't let you board the plane." With a smile, he said, "have a nice trip."

This isn't the first time I've flown using only my meager privately issued picture ID cards.

Every time I used this strategy, I noticed that the agent put an orange sticker on my checked bags, and also on my seat pass on the ticket. Several agents divulged that this is the policy they are supposed to follow when a person does not show government ID. The bags simply wait in the baggage room until the person presents actually boards the plane; then the bags go on board.

On my next trip, I decided to push the envelope even further. When the Alaska Air agent made the usual perfunctory request for identification, I put on my best face, smiled sweetly, and said, "Gee, I'm so sorry, but I just don't have any ID I could show you." To my astonishment, the agent just said, "no problem -- just fill out this simple form, and present it to the counter at the airplane gate." I watched as the familiar orange sticker again went on my bag.

I have now flown twice without producing any identification whatsoever.

Northwest was actually instrumental in advancing my education about this issue. I was so aggravated by the insolent and hostile treatment that their employee gave me, (hopefully former employee, after the blistering letter I sent to the company president), that I demanded to see a supervisor on the spot. I then demanded that he produce the relevant federal regulations RIGHT NOW, or face personal liability for authorizing an unreasonable search and seizure, dereliction of duty, fraud, conspiracy, civil rights deprivation and any other legal buzz words I could think of at that moment which would justify a lawsuit against him personally, as well as his employer.

Like everyone else, he couldn't show me any statute or regulations. He even admitted that there are none.

However, he did produce a copy of Security Directive 96-05, which the Federal Aviation Agency issued to all airlines in August of 1996.

Its wording is very instructive; it reads as follows:

1. IDENTIFY THE PASSENGER -

A. ALL PASSENGERS WHO APPEAR TO BE 18 YEARS OF AGE WILL PRESENT A GOVERNMENT ISSUED PICTURE ID, OR TWO OTHER FORMS OF ID, AT LEAST ONE OF WHICH MUST BE ISSUED BY A GOVERNMENT AUTHORITY.

B. THE AGENT MUST RECONCILE THE NAME ON THE ID AND THE NAME ON THE TICKET -- EXCEPT AS NOTED BELOW.

C. IF THE PASSENGER CANNOT PRODUCE IDENTIFICATION, OR IT CANNOT BE RECONCILED TO MATCH THE TICKET, THE PASSENGER BECOMES A "SELECTEE." CLEAR ALL OF THEIR LUGGAGE AS NOTED IN SECTION 6, BELOW.

6. CLEAR SELECTEE'S CHECKED AND CARRY-ON LUGGAGE, AND SUSPICIOUS ARTICLES DISCOVERED BY THE QUESTIONS ASKED;

A. IF THE SELECTEE IS ON A FLIGHT WITHIN THE 48 CONTINENTAL US STATES, OR TO MEXICO, OR TO CANADA, ITEMS CAN BE CLEARED BY EITHER OF THE FOLLOWING METHODS:

1. EMPTY THE LUGGAGE OR ITEM AND PHYSICALLY SEARCH ITS CONTENTS BY A QUALIFIED SCREENER, OR;

2. BAG-MATCH -- ENSURE THE BAG IS NOT TRANSPORTED ON THE AIRCRAFT IF THE PASSENGER DOES NOT BOARD.

B. IF THE SELECTEE IS ON AN INTERNATIONAL FLIGHT -- CHECKED LUGGAGE, CARRY-ON LUGGAGE, AND SUSPECT ITEMS CAN BE CLEARED ONLY BY THE FOLLOWING METHOD; EMPTY THE LUGGAGE OR ITEM AND PHYSICALLY SEARCH ITS CONTENTS BY QUALIFIED SCREENERS.

This document apparently goes on for ten more pages; the Northwest supervisor gave me only the first page, which contains the information printed above.

The next time I refused to produce ID and the agent freaked, I told her, "just tap up Sec-Dec 96-5 on your computer, and go to Paragraph 1, Section C. Designate me as a 'selectee,' and proceed accordingly.

She apparently thought I was an FAA undercover employee, because she said that she was "tired of you federal guys coming around" and literally spying on airline agents, "coercing us into lying to people, and essentially being the 'bag man' for an activity which has no legal requirement." I told her that I could not agree more.

Another airline employee later confirmed that FAA agents often engage in such entrapment activities, to make sure that airline agents parrot the government party line about state-issued ID.

I also hit pay dirt in a discussion with another, much nicer Northwest agent on the East coast. In a candid conversation, he told me that FAA personnel had held training sessions with all airline agents in the fall of 1996. Agents were informed directly by the FAA that they absolutely could not bar an American citizen from boarding a plane, even if a passenger refused to produce any identification at all!

I understand Delta Airline is facing two large lawsuits because employees twice denied this reality, and actually twice kept off a plane a passenger who had only private ID to show. Anyone want to own an airline, courtesy of a judge? I have personally flown Delta with only a private travel card, so I guess they already had their hand slapped.

Yet another agent in the Midwest admitted that airline personnel were deliberately and knowingly coercing people into showing government ID by saying "it's the law." According to him, the reality is that the companies are simply tired of people selling their frequent-flyer tickets. The airlines wanted to stem this practice by checking everyone's ID, but knew there would be BIG problems if they instituted this procedure as a private corporate policy. It was so much more convenient to say it was federal law and make the government the scapegoat. So this policy meets the airlines' private financial goals, and the government's goal of ever-increasing social control.

Our children watch this happen, and grow up thinking that the state has both the right to define our identity by issuing documents saying who we are, and also the right to require us to produce them on demand.

If no one complains or asserts their rights regarding travel, then another freedom is "poof" - gone.

Joby Weeks is a 25 year-old lifestyle coach from Denver Colorado who's travelled to over 40 countries.