

employees, one fatally. Thirty-six innocent passengers and crewmembers faced death and endured extreme personal hardships and indignities. Twelve days later, on November 10, three wanted criminals took over a jet out of Birmingham, Ala., and for more than 28 hours the lives of 30 passengers and flight crew and hundreds of people on the ground were in severe jeopardy. One crewmember was wounded and three passengers required hospitalization.

The President has directed that the present Civil Aviation Security Program be strengthened to meet the escalating threats of hijacking, extortion, sabotage, and terrorism against U.S. civil air commerce. The strengthened security measures ordered by the President recognize the proper delineation of responsibilities between the Federal Government, airlines, airports, and local law enforcement. Within this framework of shared responsibility, law enforcement personnel must be in place to support airline and airport security measures and to provide immediate response to actual or suspected violations of law. Accordingly, to meet these threats this amendment will require the airport operators to insure that effective law enforcement support is provided during passenger screening prior to boarding aircraft.

Because of the emergency nature of the threat to the safety of persons and property due to hijacking, I find that notice and public procedure on these amendments are impracticable and contrary to the public interest and that good cause exists for making these amendments effective in less than 30 days.

In consideration of the foregoing, Part 107 of the Federal Aviation Regulations (14 CFR Part 107) is amended, effective December 6, 1972, as follows:

1. By amending § 107.1 by adding a new paragraph (e), to read as follows:  
§ 107.1 General.

\* \* \* \* \*

(e) For purposes of this part "law enforcement officer" means an armed person—

- (1) Authorized to carry and use firearms;
- (2) Vested with a police power of arrest under Federal, State, or other political subdivision authority;
- (3) Identifiable by uniform, badge, or other indicia of authority; and
- (4) Assigned the duty of providing law enforcement support for the preboard screening aspects of the security programs filed by Part 121 certificate holders, foreign air carriers requesting such support, and for airport security programs.

2. By adding a new § 107.4 to read as follows:

§ 107.4 Law enforcement officers.

Notwithstanding § 107.3(a)(2)(i)(d) each airport operator shall, not later than January 6, 1973, submit for approval by the Administrator an amendment to the master security plan included in its security program that sets

forth facilities and procedures which insure that as soon as possible, but in no event later than February 6, 1973—

(a) At least one law enforcement officer is present at the point of, and prior to and throughout, the final passenger screening process prior to boarding, for each flight conducted by a certificate holder required to have a security program under § 121.538 of this chapter, and by each foreign air carrier that requests such law enforcement support;

(b) The law enforcement officer is present continuously until all doors on the aircraft being boarded are closed and the aircraft has taxied away from the boarding area; and

(c) The requirements of paragraphs (a) and (b) of this section are complied with in the event that the aircraft returns to the boarding area before takeoff. (Secs. 313(a), 601, 606, 901, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1426, 1471; sec. 6(c) Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Washington, D.C., on December 5, 1972.

JOHN H. SHAFER,  
Administrator.

[FR Doc.72-21092 Filed 12-5-72; 10:53 am]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 12423, Amdt. 107-1]

#### PART 107—AIRPORT SECURITY

##### Law Enforcement Officers

The purpose of these amendments to Part 107 of the Federal Aviation Regulations is to require that operators of airports covered by Part 107 provide for the presence of armed law enforcement personnel prior to and throughout the screening of passengers prior to boarding.

The two bizarre acts of air piracy over the past few weeks highlight the need for immediate action to reduce the vulnerability of U.S. civil air commerce to criminal and terrorist actions. In those two incidents, the lives of 66 persons were placed in severe jeopardy over many terror-filled hours at the hands of berserk or desperate criminals. One life was lost, and five persons were injured. Fortunately, tragedies of catastrophic proportions were averted.

In the first, an airline jetliner at Houston, Tex., was commandeered on October 29 by four alleged murderers and bank robbers who shot two airline