

## Title 14—AERONAUTICS AND SPACE

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

[Docket No. 11482, Amdt. 121-85]

#### PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

##### Aviation Security; Certain Air Carriers and Commercial Operators—Security Programs and Other Requirements

The purpose of this amendment is to make immediately effective the recently adopted Amendment 121-85 to § 121.538 of the Federal Aviation Regulations requiring each of certain air carriers and commercial operators operating large aircraft (other than helicopters) to (1) prepare in writing and submit for approval to the Administrator its security program; (2) notify the pilot in command of aircraft being operated and conduct certain security inspections, when it receives a bomb or air piracy threat; and (3) immediately notify the Administrator upon receipt of information that an act or suspected act of aircraft piracy has been committed.

Amendment 121-85 issued February 28, 1972 (37 F.R. 4904) was to become effective April 6, 1972. However, because of the recent alarming increase in hijackings, and the bomb threats and actual bombing of aircraft, the Administrator is of the opinion that an emergency requiring immediate action exists in respect of safety in air commerce, and that this amendment is essential in the interest of safety in air commerce particularly in air transportation, to meet the emergency. On March 9, 1972, the President issued a statement summarizing newly directed actions to tighten air security and announcing that Amendment 121-85 would take effect at once.

Accordingly, the effective date of Amendment 121-85 is being changed from April 6, 1972, to March 9, 1972, and each certificate holder is being required to immediately adopt and put its security program into use. Also, the 90-day period for submission of security programs for approval is being changed to reflect the new effective date, and consequently the affected certificate holders operating before March 9, 1972, are now required to submit their security program for approval no later than May 8, 1972.

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

In consideration of the foregoing, effective March 9, 1972, the effective date of Amendment 121-85, published in the FEDERAL REGISTER (37 F.R. 4904) on March 7, 1972, is changed to March 9, 1972; the dates "April 6, 1972," "June 5, 1972," and "April 5, 1972" appearing in paragraph (d) of § 121.538 are changed to "March 9, 1972," "May 8, 1972," and "March 8, 1972," respectively; and the following sentence is added in paragraph (b) of § 121.538:

##### § 121.538 Aircraft security.

(b) . . . Each certificate holder shall immediately adopt and put into use its security program prescribed in paragraph (c) of this section.

(Sections 313(a), 601, 604, and 1008 of the Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1424, 1485. Section 6(e) of the Department of Transportation Act; 49 U.S.C. 1555(c))

Issued in Washington, D.C., on March 9, 1972.

J. H. SHAFFER,  
Administrator.

(As published in the Federal Register  
[37 F.R. 5254] on March 11, 1972)

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