

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Admin- istration, Department of Transpor- tation.

[Docket No. 9078; Amdt. 105-4]

PART 105—PARACHUTE JUMPING

Elimination of Requirement for U.S. Armed Forces To Furnish Notice of Parachute Jumping Within Re- stricted Airspace

The purpose of this amendment to the Federal Aviation Regulations is to eliminate the requirement for elements of the U.S. Armed Forces to furnish FAA with notice of parachute jumping to be conducted within restricted areas under the control of an Armed Force.

Section 105.23 of Part 105 of the Federal Aviation Regulations prohibits parachute jumping in or into certain parts of the airspace unless appropriate prior notice has been furnished to the nearest FAA air traffic control facility or FAA flight service station.

Certain restricted areas within the United States designated under Part 73 of the Federal Aviation Regulations are used on a continuing basis by the U.S. Armed Forces as the controlling agency, for parachute jumping and other parachuting activities. These areas have defined dimensions and are prominently depicted on aeronautical charts with annotations identifying the controlling agency. Section 91.95 of the Federal Aviation Regulations prohibits operation of an aircraft within a restricted area contrary to the restrictions imposed unless prior permission of the controlling agency has been obtained.

The FAA has become aware that the requirement for prior notification of

parachuting activities by an Armed Force within a restricted area that is controlled by an Armed Force serves no useful aeronautical purpose, and the preparation, receipt, transfer and recording of the information creates an unnecessary administrative burden for both the Armed Force and the FAA.

The information contained in the notification required by the present rule is rarely of use to the FAA since prior permission from the controlling agency, in this case an Armed Force conducting the operations, is required for entry into the restricted area. Flights admitted to the area are advised by the controlling agency of hazardous activities in progress or scheduled to be in progress. Flight safety requirements are thus satisfied by this control and the prohibition against entry without prior permission contained in Part 91 of the Federal Aviation Regulations.

Since this amendment is minor in nature and one in which the public has little interest, notice and public procedure hereon are considered unnecessary.

In consideration of the foregoing, Part 105 of the Federal Aviation Regulations is amended effective September 21, 1968, as follows:

By amending § 105.11 by adding a new paragraph (d) reading as follows:

§ 105.11 Applicability.

(d) Section 105.23 does not apply to a parachute jump made by a member of an Armed Force within a restricted area that extends upward from the surface when that area is under the control of an Armed Force.

(Secs. 307, 313(a), 601, Federal Aviation Act; 49 U.S.C. 1348, 1354(a), 1421)

Issued in Washington, D.C., on August 15, 1968.

D. D. THOMAS,
Acting Administrator.

(As published in the Federal Register /33 P.R. 11901/ on August 22, 1968)

