

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Adminis- tration, Department of Transportation

[Docket No. 9081; Amdts. Nos. 121-64;
127-19]

PART 121—CERTIFICATION AND OP- ERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

PART 127—CERTIFICATION AND OP- ERATIONS OF SCHEDULED AIR CARRIERS WITH HELICOPTERS

Admission of Secret Service Agents to Flight Deck

The purpose of these amendments to Parts 121 and 127 of the Federal Aviation Regulations is to authorize Secret Service Agents to be admitted to, and occupy a seat on, the flight deck of an aircraft carrying any person whose protection is a responsibility of the U.S. Secret Service under the laws of the United States.

The U.S. Secret Service is given protective responsibilities for the President of the United States, the Vice President, and other specified persons (18 U.S.C. section 3056). In addition, by a Joint Resolution of the Congress, the U.S. Secret Service has been given responsibility for furnishing protection to persons determined to be major presidential or vice presidential candidates (Public Law 90-331; 90th Cong., H.J. Res. 1292). The Joint Resolution directs Federal departments and agencies to assist the Secret Service, when requested by the Director thereof, in the performance of its protective duties under the Code and the Joint Resolution.

Current §§ 121.547 (a)(3) and (b), and 127.211 (a)(3) and (b) provide a basis for the action taken herein. Those sections state that admission to the flight deck is restricted, as relevant here, to employees of the United States who deal responsibly with matters relating to safety. Therefore, these amendments add new sections to Part 121 and Part 127 to require that admittance to the flight deck be granted Secret Service Agents upon presentation of their official credentials in the same manner in which §§ 121.548 and 127.212 require that admittance be granted to air carrier

inspectors.

Inasmuch as the Secret Service has requested indefinite authorization, and the FAA is directed by the Congress to assist the Secret Service upon request and has found that no adverse effects have been indicated during the 2 years this authorization has been in force pursuant to Special Federal Aviation Regulations, and in view of the fact that the current authorization expires on July 31, 1970, I find that notice and public procedure hereon are impracticable and unnecessary, and that good cause exists for making these amendments effective in less than 30 days.

In consideration of the foregoing, Parts 121 and 127 of the Federal Aviation Regulations are amended effective July 31, 1970, as follows:

1. By adding a new section to Part 121 immediately following § 121.549, to read as follows:

§ 121.550 Secret Service Agents: admission to flight deck.

Whenever an Agent of the Secret Service who is assigned the duty of protecting a person aboard an aircraft operated by an air carrier or commercial operator considers it necessary in the performance of his duty to ride on the flight deck of the aircraft, he must, upon request and presentation of his Secret Service credentials to the pilot in command of the aircraft, be admitted to the flight deck and permitted to occupy an observer seat thereon.

2. By adding a new section to Part 127 immediately following § 127.213, to read as follows:

§ 127.214 Secret Service Agents: admission to pilot's compartment.

Whenever an Agent of the Secret Service who is assigned the duty of protecting a person aboard a helicopter operated by an air carrier considers it necessary in the performance of his duty to ride in the pilot's compartment of the helicopter, he shall upon request and presentation of his Secret Service credentials to the pilot in command of the aircraft, be admitted to the pilot's compartment.

(Secs. 213, 801, Federal Aviation Act of 1958, 49 U.S.C. 1354, 1421; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c); Public Law 90-331, 90th Cong., H.J. Res. 1292, June 6, 1968)

Issued in Washington, D.C., on
July 21, 1970.

J. H. SHAFER,
Administrator.

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