

**INTERNATIONAL CIVIL AVIATION ORGANIZATION**  
**FIRST MEETING OF DIRECTORS OF CIVIL AVIATION OF THE**  
**CARIBBEAN REGION (CAR/DCA/1)**

(Grand Cayman, Cayman Islands, 8-11 October 2002)

Agenda Item 8: Air Transport  
8.1: Security

**NEW AIRCRAFT SECURITY REQUIREMENTS FOR**  
**FOREIGN AIR CARRIER OPERATIONS IN THE UNITED STATES**

(Presented by the United States of America)

**SUMMARY**

This paper provides a description of the regulatory initiatives taken by the U.S. Federal Aviation Administration (FAA) to comply with the aircraft security requirements of the Aviation and Transportation Security Act (ASTA). Since this legislation tasked the FAA to issue regulations that would apply to all passenger aircraft that operate in U.S. airspace, FAA has subsequently taken action with respect to both U.S. airlines (14 CFR 121) and foreign airlines that operate to the United States (14 CFR 129). The focus of this paper is on the latter requirements. A copy of the final rule (issued last June 21) that applied to such foreign airlines can be accessed at: <http://www.faa.gov/avr/arm/nprm.cfm>

**1.0 INTRODUCTION**

1.1 On November 19, 2001, the Aviation and Transportation Security Act (ASTA) was signed into law by President Bush. This law directed the Federal Aviation Administration (FAA) to issue regulations on flight deck security that would apply to all passenger aircraft, regardless of country of registry, that operate in U.S. airspace. The following January, FAA partially met this directive by issuing a regulation that requires U.S. airlines to take measures to protect the flight deck from intrusion, small arms fire or fragmentation devices (e.g. grenades).

1.2 This new regulation required, in the area of flight deck doors, an implementation in two phases for all operators of U.S.-registered aircraft. In the first phase (Phase 1), simple, temporary locking devices to restrict unwanted entry of persons into the cockpit were required to be installed by last March 1. In the second phase (Phase 2), permanent door modifications that meet U.S. performance standards for intrusion and ballistic penetration resistance (14 CFR 25.795) are required by April 9, 2003. Procedural measures to

prevent unauthorized access to the flight deck were also required when the regulation was issued last January 15.

## **2.0 DISCUSSION**

2.1 Given the Congressional mandate expressed in the ASTA as well as the fact that a number of other civil aviation authorities were not imposing similar requirements on their operators who provide air service to the United States, the FAA completed the implementation of the reinforced flight deck requirement last June 21. On that day, FAA issued an amendment to its regulation (14 CFR 129) that applies to the operation of foreign air carriers in U.S. airspace and to foreign operators of U.S.-registered aircraft.

2.2 This regulation effectively applies the same security requirements that were imposed on U.S. airlines last January. The simple, temporary locking devices (Phase 1) were required by last August 21, as was the use of operational procedures to prevent unauthorized access to the flight deck. Permanently modified reinforced doors (Phase 2) must be similarly installed by the same deadline that applies to U.S. airlines, i.e. April 9, 2003.

## **3.0 CONCLUSION**

Although the International Civil Aviation Organization (ICAO) adopted a Standard in Annex 6, Part I requiring strengthened flight deck doors by November, 2003, it did recommend that Contracting States implement such a measure, along with similar procedural measures to restrict flight deck access, by this November. Based upon its assessment of the continuing terrorist threat, as reflected in the recent ASTA legislation, the U.S. has elected to recognize the intent of this ICAO recommendation and required that implementation by all airlines that operate in U.S. airspace occur sooner rather than later.