

Public Law 87-197

AN ACT

September 5, 1961
[S. 2268]

To amend the Federal Aviation Act of 1958 to provide for the application of Federal criminal law to certain events occurring on board aircraft in air commerce.

Federal Aviation Act of 1958, amendment.
72 Stat. 784.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 902 of the Federal Aviation Act of 1958 (49 U.S.C. 1472) is amended by adding at the end thereof the following new subsections:

"AIRCRAFT PIRACY

"(i) (1) Whoever commits or attempts to commit aircraft piracy, as herein defined, shall be punished—

"(A) by death if the verdict of the jury shall so recommend, or, in the case of a plea of guilty, or a plea of not guilty where the defendant has waived a trial by jury, if the court in its discretion shall so order; or

"(B) by imprisonment for not less than twenty years, if the death penalty is not imposed.

"Aircraft piracy."

"(2) As used in this subsection, the term 'aircraft piracy' means any seizure or exercise of control, by force or violence or threat of force or violence and with wrongful intent, of an aircraft in flight in air commerce.

"INTERFERENCE WITH FLIGHT CREW MEMBERS OR FLIGHT ATTENDANTS

"(j) Whoever, while aboard an aircraft in flight in air commerce, assaults, intimidates, or threatens any flight crew member or flight attendant (including any steward or stewardess) of such aircraft, so as to interfere with the performance by such member or attendant of his duties or lessen the ability of such member or attendant to perform his duties, shall be fined not more than \$10,000 or imprisoned not more than twenty years, or both. Whoever in the commission of any such act uses a deadly or dangerous weapon shall be imprisoned for any term of years or for life.

"CERTAIN CRIMES ABOARD AIRCRAFT IN FLIGHT

62 Stat. 685.

"(k) (1) Whoever, while aboard an aircraft in flight in air commerce, commits an act which, if committed within the special maritime and territorial jurisdiction of the United States, as defined in section 7 of title 18, United States Code, would be in violation of section 113, 114, 661, 662, 1111, 1112, 1113, 2031, 2032, or 2111 of such title 18 shall be punished as provided therein.

67 Stat. 92.

"(2) Whoever, while aboard an aircraft in flight in air commerce, commits an act, which, if committed in the District of Columbia would be in violation of section 9 of the Act entitled 'An Act for the preservation of the public peace and the protection of property within the District of Columbia', approved July 29, 1892, as amended (D.C. Code, sec. 22-1112), shall be punished as provided therein.

"CARRYING WEAPONS ABOARD AIRCRAFT

"(1) Except for law enforcement officers of any municipal or State government, or the Federal Government, who are authorized or required to carry arms, and except for such other persons as may be so authorized under regulations issued by the Administrator, whoever, while aboard an aircraft being operated by an air carrier in air trans-

portation, has on or about his person a concealed deadly or dangerous weapon, or whoever attempts to board such an aircraft while having on or about his person a concealed deadly or dangerous weapon, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

“FALSE INFORMATION

“(m) (1) Whoever imparts or conveys or causes to be imparted or conveyed false information, knowing the information to be false, concerning an attempt or alleged attempt being made or to be made, to do any act which would be a crime prohibited by subsection (i), (j), (k), or (l) of this section, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

“(2) Whoever willfully and maliciously, or with reckless disregard for the safety of human life, imparts or conveys or causes to be imparted or conveyed false information, knowing the information to be false, concerning an attempt or alleged attempt being made or to be made, to do any act which would be a crime prohibited by subsection (i), (j), (k), or (l) of this section, shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

“INVESTIGATIONS BY FEDERAL BUREAU OF INVESTIGATION

“(n) Violations of subsections (i) through (m), inclusive, of this section shall be investigated by the Federal Bureau of Investigation of the Department of Justice.”

SEC. 2. Subsection (a) of section 903 of the Federal Aviation Act of 1958 (49 U.S.C. 1473(a)) is amended to read as follows:

72 Stat. 786.

“VENUE

“SEC. 903. (a) The trial of any offense under this Act shall be in the district in which such offense is committed; or, if the offense is committed out of the jurisdiction of any particular State or district, the trial shall be in the district where the offender, or any one of two or more joint offenders, is arrested or is first brought. If such offender or offenders are not so arrested or brought into any district, an indictment or information may be filed in the district of the last known residence of the offender or of any one of two or more joint offenders, or if no such residence is known the indictment or information may be filed in the District of Columbia. Whenever the offense is begun in one jurisdiction and completed in another, or committed in more than one jurisdiction, it may be dealt with, inquired of, tried, determined, and punished in any jurisdiction in which such offense was begun, continued, or completed, in the same manner as if the offense had been actually and wholly committed therein.”

SEC. 3. Paragraph (4) of section 101 of the Federal Aviation Act of 1958 (49 U.S.C. 1301(4)) is amended by striking out “operation or navigation or aircraft within” and inserting in lieu thereof the following: “operation or navigation of aircraft within”.

72 Stat. 737.

SEC. 4. Title XI of the Federal Aviation Act of 1958 is amended by adding at the end thereof the following new section:

72 Stat. 797.
49 USC 1501-1510.

“AUTHORITY TO REFUSE TRANSPORTATION

“SEC. 1111. Subject to reasonable rules and regulations prescribed by the Administrator, any air carrier is authorized to refuse transportation to a passenger or to refuse to transport property when, in the

opinion of the air carrier, such transportation would or might be inimical to safety of flight.”

72 Stat. 734.

SEC. 5. (a) That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the heading “Sec. 902. Criminal penalties.” is amended by adding at the end thereof the following:

- “(i) Aircraft piracy.
- “(j) Interference with flight crew members or flight attendants.
- “(k) Certain crimes aboard aircraft in flight.
- “(l) Carrying weapons aboard aircraft.
- “(m) False information.
- “(n) Investigations by Federal Bureau of Investigation.”

72 Stat. 735.

(b) That portion of such table of contents which appears under the heading “TITLE XI—MISCELLANEOUS” is amended by adding at the end thereof the following:

“SEC. 1111. Authority to refuse transportation.”

Approved September 5, 1961.

Public Law 87-198

AN ACT

September 5, 1961
[H. R. 8922]

To amend the Small Business Act to increase by \$20,000,000 the amount available for regular business loans thereunder.

Small Business Act, amendment.
Loan funds.
Ante, p. 168; 73 Stat. 647.
15 USC 633.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4(c) of the Small Business Act is amended—

- (1) by striking out “\$1,000,000,000” each place it appears and inserting in lieu thereof “\$1,020,000,000”; and
- (2) by striking out “\$575,000,000” and inserting in lieu thereof “\$595,000,000”.

Approved September 5, 1961.

Public Law 87-199

AN ACT

September 6, 1961
[H. R. 29]

To amend section 216(b) of the Merchant Marine Act, 1936, as amended, to permit the appointment of United States nationals to the Merchant Marine Academy.

Merchant Marine Academy.
Appointment of U. S. nationals.
70 Stat. 25.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of section 216(b) of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1126(b)), is amended by inserting before the period at the end of the third sentence thereof a colon and the following words: “*Provided*, That a candidate nominated by the Governor of American Samoa shall not be denied admission by reason of his being a national but not a citizen of the United States: *Provided further*, That the foregoing proviso shall not be construed to permit any such person who is a national but not a citizen of the United States to be entitled to any office or position in the United States merchant marine by reason of his graduation from the Academy until such person shall have become a citizen”.

Approved September 6, 1961.