Docket Management System
U.S. Department of Transportation
Room Plaza 401
400 Seventh Street, SW
Washington, DC 20590-0001

Subject : FAA-2002-12504 – Comments of Japan Airlines Co., Ltd

Dear Sir or Madam,

I would like to thank the Federal Aviation Administration for providing the opportunity to present our views on the June 21, 2002 final rule regarding flightdeck reinforcement on aircraft operated by no-US airlines to/from or over the Unites States.

The following comments cover not only Japan Airlines but also its subsidiary JALways, which also serves the US. Together, there are about 100 JAL and JALways Boeing aircraft, operating on a day-to-day basis, that are affected by this FAA rule. This is therefore a very important subject for us.

The FAA final rule requires that foreign airlines must install new flightdeck doors on aircraft serving the Unites States by April 9, 2003 and also install temporary locking devices by August 20, 2002. For your information, JAL already meets the latter requirement since temporary locking devices were installed in November of last year on all JAL Group aircraft. We would like to summarize here our current situation and somewhat serious concerns regarding timely compliance with the fortified cockpit door requirements.

JAL would like to make it very clear that JAL is in complete agreement with the SFAR 92 standards and with the goals of the FAA rule on a timely basis. The highest degree of cockpit security is also what my own government, through the Japan Civil Aviation Bureau, expects.

However, I would like to emphasize that – for reasons outside the control of JAL – completion of the modification on all the affected airplanes by April 9, 2003 may not occur on time. As things now stand, we currently forecast a completion of mid-May 2003, at the earliest, for these aircraft. The reason for this forecast is a delay in the kit delivery from Boeing and the other vendors.

According to recent information from Boeing, the 747-100/200 models require many more elapsed

hours and a much longer lead time for kit development and delivery than Boeing initially indicated. This is because not only the flightdeck door but also the surrounding structures need to be modified in order to meet the FAA requirement. The kit delivery is scheduled in late-January 2003. Even if this kit delivery schedule is met, the fact that we are operating fifteen 747-100/200 airplanes that need to be modified will lead to an inability to complete the retrofit by the due date. Our current estimate is that a few aircraft will be left undone, and we will not be able to serve the US with them as of April 9, 2003. This would have a serious impact on our business.

We considered other options such as selecting suppliers other than Boeing. However, due to the complexity of the design and certification requirements, we believe that the original manufacturer, Boeing, is the fastest, and indeed the sole, solution to obtain the doors for the 747-100/200 models.

In the meantime, according to Boeing and the other vendor, design approval from FAA for other aircraft models such as Boeing 767/777/747-400 is deemed to take longer than expected despite Boeing' effort. This situation adversely affects our retrofit plan. Delayed or failed design approval could hinder completion of the retrofit for such models beyond the due date, with severe financial consequences to us.

Given the huge task of providing FAA-certified retrofit solutions to a great many of the Part 121 carriers, JAL thinks that it is questionable whether Boeing – despite its best effort – has the resources to support all the retrofits FAA has recently also required of Part 129 carriers within the same timeframe. Further, the FAA itself has a critical role to play in connection with the design approval process and coordination with the manufacturers. Delay problems that are sourced at Boeing or the FAA – or both – are clearly beyond JAL's control. If JAL does its part by using its best efforts to comply with the April 9,2003 date, it should not have to suffer any adverse consequences from a delay that it cannot control.
For the FAA to do otherwise would impose unreasonable regulation on foreign airlines.

Any realistic chance for many Part 129 carriers, including JAL, to meet the current deadline will require a greater sense of expedition than appears to be the case at this time. In order to provide a greater sense of expedition, we strongly and respectfully request that the FAA --

- Consider all practicable solutions, such as accelerated design approvals and certification process;
- Consider governmental support for Boeing and other door manufacturers to allow them to expedite kit delivery for the affected aircraft, especially the Boeing 747-100/200 models operated by FAR129 operators; and

- Treat FAR 121 & 129 operators fairly in terms of design approval and kit delivery timing.

Moreover, the situation has deteriorated since JAL presented its views at the July 30, 2003 public meeting on this subject. Boeing and other vendors now indicate that kit deliveries will be delayed for a couple of months beyond what was anticipated as recently as July 30.

In these circumstances, it may not be possible to meet the April 9, 2003 compliance date even with a greater sense of expedition, as suggested above. We therefore reluctantly but urgently request the FAA to consider an extension of the compliance date for a modest period – until the end of May 2003, for example.

As states at the outset, JAL is willing and anxious to meet the due date for cockpit door fortification. But current indications are that slippage in the date for some JAL aircraft will not be the fault of JAL. Sanctions against JAL for such slippage would be unjust. The simple answer is to avoid any slippage through an earlier delivery of the Boeing kits and expedited FAA processes. However, since that may not be achievable due to factors outside JAL's control, the FAA should reconsider the compliance date in case.

Best Regards,

Masahide Ochi
Executive Vice President
Japan Airlines