



AIR TRANSPORT ASSOCIATION

September 27, 2002

James W. Whitlow
Deputy Chief Counsel
Office of the Chief Counsel, AGC-2
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Re: Notice of proposed rulemaking (NPRM), Reports by Carriers
on Incidents Involving Animals During Air Transport
Docket No.FAA-2002-13378: Notice 02-14

Dear Mr. Whitlow:

I write on behalf of the members of the Air Transport Association of America, Inc. (ATA)¹ to request an extension of the comment period in response to the Notice of Proposed Rulemaking (NPRM), Reports by Carriers on Incidents Involving Animals During Air Transport; Docket No.FAA-2002-13378; Notice 02-14.

The NPRM, published in the *Federal Register*, September 27, 2002 (Volume 67, Number 188), proposes an amendment to 14 CFR § 119 to implement Section 710 the Wendell H. Ford Aviation Investment Act for the 21st Century (Air-21). Proposed § 119.72 would require air carriers that provide scheduled passenger air transportation to submit monthly reports to the Secretary of Transportation, through the Animal and Plant Health Inspection Service (APHIS), United States Department of Agriculture (USDA), on any incidents involving the loss, injury or death of an animal during air transport provided by the air carrier. Comments on the NPRM must be received on or before October 28, 2002.

Although on its face the NPRM appears straightforward and relatively uncomplicated, it does, in fact, raise significant operational and systems management issues that require more time to analyze and consider than the 30 days allowed for comment. Also, the number of affected parties is considerably greater than that anticipated by the FAA. We believe that in excess of one hundred scheduled airlines need to have the opportunity to examine this NPRM.

¹ATA's members are: Airborne Express, Alaska Airlines, Aloha Airlines, America West Airlines, American Airlines, American Trans Air, Atlas Air, Continental Airlines, Delta Air Lines, DHL Airways, Emery Worldwide, Evergreen International, Federal Express, Hawaiian Airlines, JetBlue, Midwest Express, Northwest Airlines, Polar Air Cargo, Southwest Airlines, United Airlines, United Parcel Service, and US Airways. ATA's associate members are Aeromexico, Air Canada, Air Jamaica, KLM--Royal Dutch Airlines, and Mexicana Airlines.

Page 2.
Letter to James W. Whitlow
Deputy Chief Counsel, FAA

Furthermore, it is our understanding that other organizations, including pet-owner organizations, have concerns about the NPRM and will request additional time to respond. These organizations include the Pet Industry Joint Advisory Council, the American Kennel Club, and the American Veterinary Medical Association.

For these reasons, ATA requests the FAA to extend the comment period in this matter from October 28, 2002 until December 30, 2002, in order to provide the industry adequate time to properly focus on the issues the NPRM raises and to develop a considered response.

We ask for the understanding of the Agency and your immediate consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Black", with a long horizontal flourish extending to the right.

Frank J. Black
Director, Cargo Services
Facilitator, Live Animal Task Force

Cc: James L. Casey, Vice President & Deputy General Counsel, ATA
Live Animal Task Force, ATA
Debra McElroy, President, Regional Airline Association (RAA)