

DEPARTMENT OF TRANSPORTATION

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DOCKET SECTION

Docket

FAA - 1998 -

4758

January 25, 1999

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Department of Transportation Dockets  
400 Seventh Street, SW, Room Plaza 401  
Washington, DC 20590

Submittal of Comments - Docket No. FAA-1998-4758 -29

On January 11-12, 1999, government delegations representing the Civil Aviation Bureau of Japan (JCAB) and the Federal Aviation Administration (FAA) met in Washington, D.C. to discuss bilateral aviation policy and technical issues. Mr. Satoshi Iwamura, the Director General of the JCAB, and Ms. Jane F. **Garvey**, FAA **Administrator**, headed the respective delegations.

The Notice of Proposed Rulemaking (NPRM) for **Security** Programs of Foreign Air Carriers (14 CFR Part 129) was discussed during the security presentation of the FAA-JCAB Bilateral Meeting.

FAA representatives explained and review@ the NPRM regarding the proposed requirement for identical security measures and noted that formal written comments from the public are to be submitted to the FAA by March 23, 1999. Specifically, the **FAA** expressed the need to avoid discussing any comments of a substantial nature associated with the proposed rule. Any such comments discussed will be reported as a summary of comments to the Department of Transportation (DOT) public docket as required by U.S. law.

Furthermore, the FAA noted a public meeting to be held on February **24, 1999** at the FAA headquarters which will provide an additional opportunity for public comment on the NPRM and invited Japan to **send a representative** to this meeting.

The **JCAB** expressed the Government of Japan's objection to the NPRM, based on the following four reasons:

- (1) as **specified** in the annex 17 of the Chicago Convention, each Contracting State has the responsibility for requiring operators providing service from that State to implement appropriate security programs;
- (2) the JCAB is meeting this responsibility by carrying out necessary and sufficient security measures which are ensuring equivalent effectiveness to those implemented in the United States;
- (3) the introduction of additional security measures would not only compromise the effectiveness of security measures actually taken by Japanese air carriers, but would also impose an additional cost burden; and
- (4) requiring other nations to take identical measures is an **extraterritorial** measure that is not acceptable.

FAA officials made no specific statement of any commitments regarding the NPRM or JCAB comments.

The **following** officials represented the FAA and the **JCAB** during this presentation:

FAA - Larry Arima, John Hancock, Ross Hamory,  
Robert Jensen, Peter **Keefe**, **David Trayham**,  
Bert Williams

JCAB - Satoshi **Iwamura**, Director General,  
Chicayoski **Hirasawa**, **Shisuke Endoh**,  
**Kazuo Inoue**, Yoshiharu **Iwami**,  
Toru **Miyashita**, **Hiroki Matsumoto**  
**Akio Yazawa**, Yoshinori Suzuki,  
**Atsushi** Shimamura  
Hiroshi **Muto**

I, the undersigned, was witness at the January 12, 1999 meeting wherein the JCAB officials made their comments regarding the NPRM for 14 CFR Part 129.

  
**Bert Williams**

*DCL - AW 30  
2/1/99*

Civil Aviation Security Specialist  
Office of Civil Aviation Security  
Federal Aviation Administration