

Comments to NPRM No. 03-02, Transponder Continuous Operation
Ref. Docket Number FAA – 2002 - 14081

AUSTRIAN AIRLINES fully understands the aim of all FAA-initiated measures to improve flight-security and supports them wherever possible.

For the plans of requiring the feature of Continuous Transponder Operation in case of Hijacking we have the following concerns:

Although there are advantages for the ground-based flight surveillance, the proposed solution has severe disadvantages for the on-board people.

Suggested the case, that a pilot inadvertently activated the continuous transponder mode, the transponder will be locked and any radio communication, declaring that it is not a case of hijack, will nevertheless lead to a fighter involvement and the probability that the aircraft will be shot down is very high.

Our point of view is clearly, that with the cockpit door phase 2, which we had to implement, the crew has enough time to respond to a terror attack and to initiate appropriate measures.

The European RADAR infrastructure with a very high density of civil and military RADAR-networks, both with Primary- and Secondary Surveillance RADARs, allows to not rely on transponder-information only to identify the path of the subject aircraft.

We therefore propose to not extend the proposed FAA Rule on Continuous Transponder Operation to Part 129 Operators.

Sincerely,

Mag. Ing. Herbert Reinisch
Director Engineering and Planning
AUSTRIAN AIRLINES