

Motion to Extend Time for Comments

FlyersRights.org requests extended time for the public comment period on Revision 17 of the Flight Standardization Board's Report. On behalf of the travelling public, we request an additional 7 days for safety experts, pilots, and others to submit their comments to the FAA.

The recertification of the Boeing 737 MAX is of great interest to the general public and deserves a full investigation. After two crashes within six months of each other, both occurring within the first two years of the MAX's commercial service, the public needs assurances that these airplanes are safe and that the FAA and Boeing are doing everything they can to prioritize safety for the 737 MAX and all other aircraft. To achieve that end, more time is needed for independent safety experts to come forward to share their expertise and concerns.

The recertification process of the 737 MAX will require regaining the confidence of safety experts, pilots, and flight attendants. Additionally, it requires regaining the confidence of passengers and the public. The process to date has been shrouded in secrecy, and **we predict passengers will boycott the Boeing 737 MAX if the process is perceived to be rushed, secretive, conflicted, and incomplete.**

On behalf of airline passengers, we are petitioning for more time to gather and encourage safety experts to submit their comments to the FAA. The comment period has only been open for 10 business days. In consideration of the FAA's pending decision to choose the **least rigorous** change available, "Differences Level B", an extended comment period will not

create prejudice for the FAA or any stakeholder. While Boeing may want the 737 MAX recertified as quickly as possible, we see no reason for the FAA want to jeopardize safety, or appear to jeopardize safety, by recertifying the 737 MAX too quickly and endangering even more lives.

The Lion Air crash, the Ethiopian Airlines crash, other reported problems with the 737 MAX, prominent news reports of problems with Boeing's 787 South Carolina factory, and the U.S. Air Force's refusal to accept the KC-46 after finding foreign objects have resulted in a near complete loss of confidence in the integrity of the FAA's and Boeing's safety regime. Safety experts, pilots, flight attendants, and passengers are only left to wonder what other safety vulnerabilities exist in the above-mentioned aircraft as well as in other aircraft.

If public confidence is not restored, many passengers will not only avoid travelling on the 737 MAX, they may avoid flying on the 787 and other Boeing airplanes. This may already be happening internationally as airlines have considered cancelling orders of the 737 MAX.

Normal comment periods under the Administrative Procedure Act (APA) provide for at least a 30 day comment period. The APA requires a minimum comment period of 30 days except for interpretative rules and for good cause shown. Unless there is a modest extension granted, after balancing the need for an expeditious remedy against the need for a comprehensive and open process to decide on that remedy, there will be a lack of due process here. Unsafe aircraft may be prematurely ungrounded, risking passenger and public safety, and the FAA will lose even more public trust.

Comments on FAA's Proposal Not to Mandate Simulator Training

FlyersRights.org strongly recommends that the FAA require simulator training on the MCAS feature for all pilots of the 737 MAX before a single aircraft returns to the air.

The Allied Pilots Association has stated that the FAA's proposed fix does not go far enough because it does not include simulator training. The Allied Pilots Association has said the requirement for only more computer time will not only fail to restore the confidence of its pilots to fly the plane, but it will fail to restore the confidence of the public to fly on the plane. American Airlines has said it is exploring additional training options, but an individual airline should not have to unilaterally put themselves at an economic disadvantage relative to other airlines in order to achieve a safety advantage that should be mandated across all airlines.

New information is continuously coming to light each day. Today, April 30, the deadline for public comments, the Wall Street Journal reported that the optional AOA disagree signal did not operate as expected. It was intended to be a standalone feature but was inoperable if the airline did not also purchase the AOA indicator optional upgrade.

A recent whistleblower reported that he or she has observed loose debris damaging the wiring of AOA sensors in the 737 MAX. While Boeing denies this specific claim, the New York Times has reported on a separate whistleblower from the Boeing 787 South Carolina factory who has claimed that he has seen

planes approved with debris in them and has been told by superiors to ignore the violations. The U.S. Air Force stopped accepting deliveries of the Boeing KC-46 aircraft because debris was found inside the aircraft. This is a pattern of misbehavior that must be fully investigated by the FAA and independent investigators before the FAA continues its push to quickly re-certify the 737 MAX.

The FAA must slow down this frenzied, secretive rush to allow the 737 MAX back into the skies until it acquires the whole picture from independent safety experts, pilots, and others.

The short period has made a full comment impossible and has likely prevented others from fully sharing their expertise, knowledge, and experiences.

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[About FlyersRights.org](#)

FlyersRights.org advocates for the interests of airline passengers and aviation safety. FlyersRights.org is a non-profit organization with over 60,000 airline passenger members. It publishes a Know Your Rights page, operates a hotline for passengers at 1-877-FLYERS-6, and publishes a weekly newsletter.

Date: April 30, 2019