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June 19, 2013

The Honorable Thomas S. Winkowski
Acting Commissioner
U.S. Customs and Border Patrol
1300 Pennsylvania Avenue, N.W.
Washington, D.C. 20229

Dear Acting Commissioner Winkowski,

The Aircraft Owners and Pilots Association (AOPA), which represents nearly 400,000 pilots nationwide, has recently received complaints from almost a dozen of our members that have reported being detained for hours while their documentation, belongings, and aircraft are exhaustively searched. These flights were met by officers from the Customs and Border Protection (CBP) Air and Marine Division even though these flights originated and ended well within the borders of the United States.

As the largest aviation membership organization in the world, we have a responsibility and obligation to our members to ensure that we hold government accountable for their actions and to ensure that they are operating within their legal limits. In all of our research to date, we cannot identify what authority is granted Customs and Border Protection to monitor general aviation activity within the borders of the United States and we question the authority under which CBP is conducting this monitoring, stop and search activity. We fully understand CBP authority at ports of entry and when borders have been crossed as specified, for example, in 19 USC § 482, 1461, 1467 and 19 CFR Part 162. Accordingly, we would like a full explanation regarding the legal basis for CBP to stop and detain aircraft and conduct searches well within the borders of the United States on activities with no apparent connection whatsoever with a border crossing.

We also have an obligation to inform and educate our members. In working with our members to determine why they had been targeted, we have secured releases from several members and filed Freedom of Information Act (FOIA) requests on their behalf with the Department of Homeland Security and CBP, the Department of Justice and Drug Enforcement Agency, and local law enforcement involved in the incidents. We have received in a timely fashion reports from the local law enforcement entities and a partial response from DEA but as of this date no information has been received from CBP. After leaving several phone messages that were not returned, we were informed via a phone call on May 16, 2013, that we should expect at least six

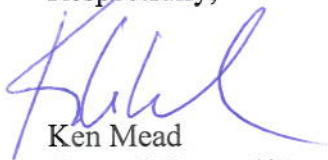
The Honorable Thomas S. Winkowski

June 19, 2013

Page 2

months before CBP responds to our request. We were given no justification for such extreme delinquency in meeting the statutory requirement to respond within 20 business days. It has been nearly four months since your office received our request on February 12, 2013. If CBP does not respond to our request and produce the requested information and documents by July 20, 2013, this letter serves as notice that we will pursue such other remedies as are available at law and advise the appropriate Members of Congress and congressional committees of this matter and seek their intervention.

Respectfully,



Ken Mead

General Counsel/Executive Vice President

The Aircraft Owners and Pilots Association (AOPA) is a not-for-profit individual membership organization of nearly 400,000 pilots. Representing two thirds of the pilots in the United States, AOPA is the largest civil aviation organization in the world. Our mission is to effectively serve the interests of members as pilots or aircraft owners to establish, maintain, and articulate positions of leadership to promote the economy, safety, utility, and popularity of flight in general aviation aircraft.