



AIRCRAFT OWNERS AND PILOTS ASSOCIATION

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November 28, 2007

Mr. Craig T. Clark
Chief, Border Security Regulations Branch
Office of International Trade Regulations and Rulings
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, NW (Mint Annex)
Washington, DC 20229

Dear Mr. Clark:

On behalf of the Aircraft Owners and Pilots Association (AOPA), I am writing regarding the Customs and Border Protection Notice of Proposed Rulemaking (NPRM), *Advanced Information on Private Aircraft Arriving and Departing the United States*. On September 18, 2007, the proposed rule was published in the Federal Register with the comment period extended until December 4, 2007. Of specific concern is that fact that over the past month individuals have encountered numerous problems that in most cases have prevented them from being able to submit comments.

To our knowledge, individuals have experienced three different types of problems at different times and on different days in their efforts to comment on the proposed rule.

1. On October 26, October 30, and November 7, the Web site was down - often for hours at a time - precluding the submission of any comments.
2. On November 20, those wishing to submit comments using the online system were forced to scroll through nearly 2,000 comments already submitted in order to find the extension notice and post comments. After notification by AOPA, it took another 6 days (November 26) for this problem to be rectified by placing the comment balloon next to the original proposed rule notice as well.
3. More recently, on November 26, several individuals attempting to electronically submit comments were unable to do so because after only a few minutes they were informed that they had "timed out" of the comment page.

It has also come to our attention that the Web site for submitting electronic comments will once again be down on December 1, just three days before the comment period closes. Evidenced by the more than 2,000 comments that have been successfully submitted, this proposed rule has generated a considerable amount of concern among the general aviation community. While it is understandable that technological glitches may occur, it is also extremely important that those affected by this rule have adequate opportunity to submit comments.

AOPA hopes that CBP is diligently working to fix any and all filing problems to ensure that the public is able to comment on this rule. And, if problems continue to occur over the next week that prevent individuals from submitting comments electronically, AOPA respectfully requests that CBP either extend the comment period until the end of the month (December 31, 2007), or at a minimum accepts late filed comments. Thank you for your prompt attention to this matter.

Sincerely,

Andrew V. Cebula
Executive Vice President
Government Affairs