



Mark R. Baker
President and CEO

March 10, 2014

Honorable Gil Kerlikowske
Commissioner
United States Customs and Border Protection
1300 Pennsylvania Avenue NW
Washington, DC 20229

Dear Commissioner Kerlikowske,

On behalf of the Aircraft Owners and Pilots Association (AOPA), the largest aviation membership organization in the United States, I extend my congratulations on your confirmation as commissioner of U.S. Customs and Border Protection (CBP). Thank you for taking on the immense challenges and responsibilities this position brings. I realize the ink is not even dry on your confirmation, but there is a pressing issue impacting our members that I would like to meet with you personally to discuss.

Since January of 2013, AOPA has been seeking information from the Air & Marine Division of your agency surrounding the monitoring, stops, and searches of domestic general aviation aircraft on flights with no nexus to the border and without probable cause or reasonable suspicion of illegal activity. We have received nearly 50 reports of such stops on law-abiding pilots and citizens.

These stops, some of which have involved dogs and officers with drawn weapons, can be terrifying for the affected pilots and their passengers. These are individuals who are conducting routine flights for business or pleasure, often with family members on board, when they are unexpectedly stopped, detained, questioned, or searched. Pilots report they are frightened, intimidated, and humiliated in the course of these incidents. To make matters worse, officers involved have repeatedly declined to give a reason for their actions or even to provide their names and badge information.

Despite repeated attempts to obtain information about these incidents from CBP Air & Marine Division over the course of more than a year, we have received only cursory responses to our inquiries. Those responses have been disappointingly vague and have repeatedly failed to address our most important questions and fundamental concerns. The tenor of these responses seems to indicate that CBP has not taken our concerns seriously. When these stops are happening without warrants and with no articulable probable cause or suspicion that illegal activity is taking place, we do not see the basis for the stop in the first place.

AIRCRAFT OWNERS AND PILOTS ASSOCIATION

421 Aviation Way, Frederick, Maryland 21701

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We appreciate the commitment you made during the confirmation process to conduct a commissioner-level review of CBP's zero-suspicion enforcement activities with respect to general aviation aircraft, and we ask that you make it a top priority. I cannot overstate the importance of this issue to our hundreds of thousands of members. It is my sincere hope that with your leadership in place, we can finally resolve this troubling situation and find productive ways to work together on issues of mutual benefit.

I look forward to hearing from and working with you to address this serious and urgent problem.

Respectfully,

A handwritten signature in black ink, appearing to read 'Mark R. Baker', with a long horizontal flourish extending to the right.

Mark R. Baker

The Aircraft Owners and Pilots Association (AOPA) is the world's largest aviation membership organization representing two thirds of the pilots in the United States and thousands more around the world. Our mission is to effectively serve the interests of our members as pilots or aircraft owners and to establish, maintain, and articulate positions of leadership to promote the economy, safety, utility, and popularity of flight in general aviation aircraft.