



AIRCRAFT OWNERS AND PILOTS ASSOCIATION

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Docket Management System
U.S. Department of Transportation
Room Plaza 401
400 Seventh Street, SW
Washington, DC 20590-0001

RE: FAA-2003-15976/Airspace Docket No. 03-AWA-5

The Aircraft Owners and Pilots Association (AOPA), on behalf of over 400,000 pilots nationwide, opposes the establishment of a prohibited area to be named P-50 over Kings Bay, Georgia. Establishment of P-50 would make permanent a temporary flight restriction (TFR) originally implemented on September 13, 2001, in the aftermath of the terrorist attacks. Without specific, credible threat evidence, AOPA believes the TFR has outlived its purpose, and should be eliminated, not made permanent.

The existing TFR has severely impacted operations at St. Mary's Airport (4J6) in nearby St. Mary's, Ga. Originally, the TFR covered the airport, prohibiting all operations. The size of the TFR was subsequently reduced so that operations could resume, but the location of the TFR caused cancellation of the only instrument approach procedure into the airport.

AOPA appreciates the formidable challenges facing the defense community of protecting this great nation. While the need for restricted airspace based on specific, credible threats is understandable; we want to ensure due consideration is given to the continued need for each flight restriction and alternatives to permanent airspace restrictions are implemented.

Furthermore, since September 11, 2001, the federal government has taken numerous actions related to aviation security. While the terrorist attacks of September 11th were not orchestrated using general aviation aircraft, the federal government nevertheless has taken actions directed at or that encompass general aviation operators. These federal actions include the following:

Pilots

Advanced Screening of Pilot Databases. Regulations adopted by the Federal Aviation Administration (FAA) and the Transportation Security Administration (TSA) on January 24, 2003, permit the immediate suspension, revocation, or refusal to issue an airman certificate to anyone that the TSA has determined poses a threat to transportation security. This is based on TSA information as well as that provided by other security agencies.

New Airman Certificate. In July 2003, the Department of Transportation (DOT) announced it would begin issuing a new, security-enhanced airman certificate. The new, difficult-to-counterfeit certificates will include a hologram and graphics printed on a plastic card and replace a paper-based document.

Requirement to Carry Photo ID. An FAA requirement, adopted in October 2002, requires a pilot to carry government-issued photo identification along with the pilot certificate when operating an aircraft.

Restrictions for Foreign Pilots. There are current federal restrictions on flight training of foreign nationals, including a requirement for background checks for individuals seeking to receive a U.S. pilot certificate on the basis of a foreign pilot certificate. This requirement was put in place in July 2002.

Background Checks for Certain Flight Training. A federal requirement mandates that the TSA conduct a comprehensive background check for all non-U.S. citizens seeking flight training.

Businesses

Flight School Security. In January 2002, the FAA issued a number of recommended actions addressing security for flight schools and those renting aircraft. These recommendations are designed to provide security against the unauthorized use of a flight school or rental aircraft.

Flight School Security Awareness Training. Also included in the Conference Report accompanying the FAA reauthorization legislation (H.R. 2115) is a requirement that employees be trained in "suspicious circumstances and activities of individuals enrolling or attending" a flight school.

Docket Management System

Page 3

April 8, 2004

Airport Watch

AOPA has also taken proactive steps to increase security and security awareness by developing a nationwide aviation watch system (**Airport Watch**) using the nation's 650,000 pilots that is supported by the TSA's centralized toll-free hotline and system for reporting and acting on information provided by general aviation pilots and other individuals at airports. The Airport Watch Program includes warning signs for airports, informational literature, and training videotape to educate pilots and airport employees as to how security of their airports and aircraft can be enhanced

Alternatives to a permanent prohibited airspace area should be explored in order to strike a balance between ensuring our national security and allowing Americans to continue enjoying the freedoms our country is based upon. AOPA recommends that the Department of Defense (DOD) consider advisories similar to those incorporated into a NOTAM regarding overflights of nuclear power plants by civilian pilots. The NOTAM specifically advises that "... PILOTS CONDUCTING FLIGHT OPERATIONS WITHIN THE TERRITORIAL AIRSPACE OF THE U.S. ARE ADVISED TO AVOID THE AIRSPACE ABOVE OR IN PROXIMITY TO ALL NUCLEAR POWER PLANTS. PILOTS SHOULD NOT CIRCLE OR LOITER IN THE VICINITY OF SUCH FACILITIES...."

AOPA calls on the FAA and the Department of the Navy to take immediate action to amend their requests for permanent flight restrictions over the U.S. Naval Submarine Base in Kings Bay, GA. And instead implement an advisory similar to the nuclear power plant NOTAM as a more common sense approach to protecting this Navy facility.

Sincerely,



Melissa K. Bailey
Vice President
Regulatory Affairs

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