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Mr. Craig A. Marech
Assistant to the Special Agent in Charge
Special Operations Division
Airspace Security Branch
United States Secret Service
245 Murray Lane
Washington, DC 20223

Mr. Brian Throop
Director, ATO Security
System Operations Services
Federal Aviation Administration
800 Independence Avenue S.W.
Washington, DC 20591

Dear Messrs. Marech and Throop:

On behalf of our members, the Aircraft Owners and Pilots Association (AOPA) appreciates the opportunity to provide our input for the analysis of the potential for using security procedures similar to those described in the Maryland Three Program during Temporary Flight Restrictions (TFR).

On October 5, 2018, the Federal Aviation Administration (FAA) Reauthorization Act of 2018 (H.R. 302) was signed by the President and became Public Law No. 115-254. Section 529, *TFR Report*, requires the FAA Administrator to –

- submit to the appropriate committees of Congress within a year an analysis of the potential for using security procedures similar to those described in the Maryland Three Program during temporary flight restrictions in the following airports:
 - (A) Solberg Airport
 - (B) Somerset Airport
 - (C) Palm Beach County Park Airport (also known as Lantana Airport)
- and consult with industry stakeholders; and the head of any other agency that, in the Administrator's determination, is a stakeholder agency.

As the law requires, AOPA, representing individual general aviation aircraft owners and pilots, would be glad to participate in this process and share our perspective. We continually receive calls from our members asking for cutouts and procedures that allow them to operate to and from airports located within the 10-nautical mile (NM) inner core of a VIP TFR. Those airports and pilots impacted by frequent VIP TFRs are those most adversely affected. However, impacts of VIP TFRs extend to other general aviation pilots, such as pilots operating antique aircraft and skydivers, within the 30-NM outer ring of a VIP TFR.

The economic impact of these VIP TFRs on the general aviation industry has been significant. For these three airports alone, we estimate over \$1.5 million lost revenue in 2017. Conducting an analysis study of the potential for using security procedures similar to the MD-3, required by law, is our top priority and should be a priority for the FAA and United States Secret Service (USSS). We believe, through collaboration, that we can find a long-term solution that will allow the FAA and USSS to accomplish their mission while allowing general aviation to keep flying.

Maryland Three (MD-3) Program

The Maryland Three (MD-3) Program was created to mitigate security risks posed to the National Capital Region (NCR) by eliminating “unknown” risks of pilots and aircraft. Through its process, the program provides information about pilots and flights even before the flight takes off. Conducting background checks on pilots and issuing unique PIN codes help pre-determine the risk of the individuals entering the Washington, D.C. Metropolitan Area Flight Restricted Zone (FRZ). A FRZ flight plan discloses information about the flight. Another key element of the MD-3 Program is pilot education. The program requires pilots to be familiar with the airspace, its restrictions, and specific flight procedures. Each of these program elements adds a layer to the overall airspace security.

We understand that it might not be possible to duplicate this exact program process and structure to reduce risks that could pose to the airspace protected by a VIP TFR. However, in applying the MD-3 program concept, similar methods could be used to create procedures that allow flights to and from airport(s) located within the 10-NM inner core of a VIP TFR while maintaining or enhancing the security level.

Key MD-3 Program Concepts

Key security components of the MD-3 Program include:

- pilot vetting
- operational restrictions and procedures
- pilot education

Pilot Vetting

All FAA certificate holders are vetted and screened by the FAA against the Federal “No Fly” and “Selectee” watch lists. Under the Aviation Transportation Security Act (ATSA), 49 U.S.C. § 114, the Transportation Security Administration (TSA) conducts security threat assessments on individuals who are on FAA’s Airmen Registry. MD-3 requires Criminal History Record Checks; however, we believe additional requirements, such as having a local address, could supplement the current pilot

screening to ensure that individuals operating within the 10-NM inner core of a VIP TFR pose no security threat.

Operational Restrictions and Procedures

Operational restrictions and procedures are already described in VIP TFRs. These include no flight training, IFR or VFR flight plan filed, ATC clearance required, compliance with ATC instructions, etc. AOPA believes that the existing restrictions and procedures have provided effective security measures within the protected airspace. Establishing explicit arrival and departure procedures to and from the airports within the 10-NM ring of a VIP TFR will help maintain airspace security while allowing general aviation aircraft to conduct limited operations. We have collaborated with local stakeholders on potential local procedures and we look forward to discussing those with yourselves.

Pilot Education

Pilot education and outreach are critical. Pilots who fly to and from MD-3 airports are required to receive security briefings for operations in the FRZ. Pilots who wish to fly to and from the airports located within the 10-NM inner core of a VIP TFR should be familiar with the special arrival and departure procedures. A hand out of the special procedures should be created and disseminated. The FAA, USSS, and Department of Defense (DOD) already conduct in-person outreach meetings at key airports prior to each TFR season and a special procedure briefing could be included in those meetings. AOPA stands ready to support any outreach effort. Our TFR alerts reach over 71,000 members that are located within 250 NMs of the New Jersey or Florida TFR locations. Our online weekly newsletter, ePilot, reaches approximately 225,000 subscribers every week. AOPA will utilize all available means to help educate pilots.

Additional Security Measures

We are open to discussing additional reasonable security measures that would allow for the affected airports to continue civil operations when a VIP TFR is present. One option would be for aircraft operating within the 10-NM ring of a VIP TFR be equipped with Automatic Dependent Surveillance-Broadcast (ADS-B). ADS-B is a surveillance technology that provides aircraft position and uniquely identifiable information for those that are equipped. ADS-B enhances security by making an aircraft visible to ATC and to other appropriately equipped ADS-B aircraft, while also transmitting a unique flight identification and hex code. Combined with security layers described in the MD-3 program, ADS-B could further reduce the “unknown” risks within the 10-NM inner core of a VIP TFR.

Conclusion

The MD-3 program has been successful in reducing security risks within the NCR. Using the MD-3 program components and additional surveillance technology, AOPA recommends that a similar security program and special procedures be implemented to allow egress and ingress at Solberg Airport, Somerset Airport, and Palm Beach County Park Airport. Pilots based at those airports do not pose a security threat. This effort to create a MD-3 like program is critical for general aviation to continue operating in the currently complex security and airspace environment.

AOPA stands ready to work with the USSS, FAA, DOD, TSA, and other agencies to find a solution to an issue that Congress, the aviation industry, and affected business owners and pilots consider to be of high importance. We would be glad to collaborate on developing special arrival and departure procedures for Solberg Airport, Somerset Airport, and Palm Beach County Park Airport that would work for eligible general aviation operators and for security agencies. Additionally, AOPA would commit to creating and disseminating educational materials of the special procedures—including simple step-by-step instructions for arrivals, departures, and requirements—to local pilots, fixed-base operators, and companies based at the three airports.

AOPA appreciates the FAA and USSS working with the general aviation industry to ensure that operations at general aviation airports located within the 10-NM inner core of a VIP TFR are safe for all involved and to protect our freedom to fly. We look forward to attending a face-to-face meeting on this topic at your convenience.

Sincerely,



Nobuyo A. K. Sakata
Director of Government Affairs, Aviation Security

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