



AIRCRAFT OWNERS AND PILOTS ASSOCIATION  
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**Phil Boyer**  
President

October 12, 2007

Mr. Bobby Sturgell  
Acting Administrator  
Federal Aviation Administration  
800 Independence Avenue, SW  
Washington, D.C 20591.

Dear Mr. <sup>Bobby</sup> Sturgell:

*Great seeing you today!*

The Aircraft Owners and Pilots Association (AOPA) is alarmed by the addition of a new warning in all security related notices to airmen (notams) for temporary flight restrictions (TFRs) and other security airspace. Specifically the FAA is telling pilots they could be subject to criminal penalties for violations to the airspace. With this letter, AOPA is requesting clarification from your office that this is not a change in FAA policy, especially for inadvertent airspace violations by general aviation pilots.

The new notam language is as follows: "*PURSUANT TO 49 USC 40103(B), THE FEDERAL AVIATION ADMINISTRATION (FAA) CLASSIFIES THE AIRSPACE DEFINED IN THIS NOTAM AS 'NATIONAL DEFENSE AIRSPACE. ANY PERSON WHO KNOWINGLY OR WILLFULLY VIOLATES THE RULES CONCERNING OPERATIONS IN THIS AIR- SPACE IS SUBJECT TO CERTAIN CRIMINAL PENALTIES UNDER 49 USC 46307. PILOTS WHO DO NOT ADHERE TO THE FOLLOWING PROCEDURES MAY BE INTER- CEPTED, DETAINED AND INTERVIEWED BY FEDERAL LAW ENFORCEMENT/ SECURITY PERSONNEL AND/OR DOD, "*

As you know, security related flight restrictions can occur virtually anywhere in the country with little advance notice. It is not uncommon that the average pilot has to pick through pages and pages of irrelevant and unrelated notams to find these important airspace restrictions. To help pilots, AOPA has done its part to provide members with advance notice via email messages, graphical depictions of the TFRs and real-time updates on our website. Our electronic notifications have proven to be a valuable resource to pilots who are truly trying to fly by the rules in today's complex airspace.

It is important for pilots to know that if they inadvertently stray into restricted airspace they are not going to be subject to criminal charges and/or hefty civil penalties.

As the agency responsible for ensuring compliance with security related airspace restrictions, AOPA asks that you clarify that the FAA does not intend to subject such harsh penalties on inadvertent violations. AOPA will continue to do its part getting our members to "do it right" when flying in today's complex airspace.

Sincerely,  
  
Phil Boyer