



U.S. Department
of Transportation

**Federal Aviation
Administration**

Office of the Administrator

800 Independence Ave., S.W.
Washington, D.C. 20591

Cebula

NOV 26 2007

Mr. Phil Boyer
President, Aircraft Owners and
Pilots Association
421 Aviation Way
Frederick, MD 21701-4798



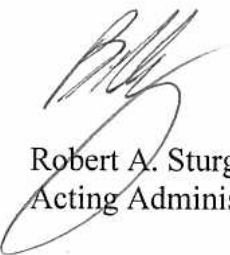
Dear Mr. Boyer,

Thank you for your letter of October 12 asking whether the Federal Aviation Administration has changed its enforcement policy regarding violations of temporary flight restrictions (TFRs) for security airspace because the NOTAM refers to criminal penalties for knowingly or willfully violating rules in National Defense Airspace.

While the FAA is continually monitoring the effectiveness of its enforcement policies, its policy with regard to enforcement actions stemming from inadvertent violations of TFRs applicable to security airspace has not changed materially since 2002. Criminal penalties for violations of National Defense Airspace have long been available under 49 U.S.C. § 46307, but only for knowing or willful violations. Therefore, I want to reassure you that pilots who commit inadvertent violations of TFRs protecting security airspace are not subject to criminal charges and fines under 49 U.S.C. § 46307. The FAA will refer to the Department of Justice for criminal prosecution only TFR violations of National Defense Airspace that involve knowing or willful conduct.

I trust that this letter satisfactorily addresses your concerns.

Sincerely,


Robert A. Sturgell
Acting Administrator