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**Congress of the United States**  
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March 11, 2008

The Honorable W. Ralph Basham  
Commissioner  
United States Customs and Border Protection  
1300 Pennsylvania Avenue, N.W.  
Washington, D.C. 20229

Dear Commissioner Basham,

I am writing regarding the Customs and Border Protection (CBP) notice of proposed rulemaking, *Advance Information on Private Aircraft Arriving and Departing the United States*. As you know, this proposed rule would implement certain aspects of P.L. 110-53, the *Implementing the 9/11 Commission Recommendations Act of 2007*. I support the efforts of CBP and the Department of Homeland Security to enhance the security of international flights. However, certain requirements in the proposed rule are cause for concern.

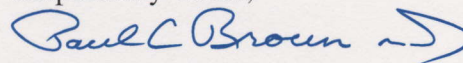
The rule requires private pilots to transmit arrival/departure information and passenger manifest data to CBP using an electronic system before they are cleared for departure to and from the United States. Often private pilots will not have access to a computer and the Internet to submit the required information.

As a pilot, I know that even popular destinations such as locations in the Caribbean have unreliable phone service, let alone Internet access. A solution offered in the proposed rule is for pilots who do not have access to a computer or the Internet to fly to an alternate location where there is service and submit the information accordingly. In some cases, this would mean a pilot would have to fly hundreds of miles out of the way in order to comply with this troublingly burdensome requirement.

Private pilots are currently able to report the requisite information and other relevant data to CBP via radio, telephone or through Federal Aviation Administration flight notification procedure, and it seems reasonable that the current methods of transmission continue to be available. General aviation flights are often dependant on many factors such as weather and fuel availability, and therefore flexibility with regard to notification procedures is extremely important. I encourage the Department to work with the general aviation community as this rulemaking process moves forward.

Please do not hesitate to contact my office if you have any questions regarding this request. Thank you for your attention to this matter and I look forward to hearing from you.

Respectfully Yours,



Paul C. Broun, M.D. (GA-10)  
Member of Congress

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