



OKLAHOMA AERONAUTICS COMMISSION

February 27, 2009

Docket Management Facility
US Department of Transportation
1200 New Jersey Avenue, SE
West Building, Ground Floor, Room W12-140
Washington, DC 20590-0001

RE: Docket No. TSA-2008-021

The following is a statement on behalf of the Oklahoma Aeronautics Commission (OAC), an agency of the State of Oklahoma whose mission is to promote aviation, which includes fostering the growth of the aerospace industry and ensuring that the needs of commerce and communities across Oklahoma are met by the state's 114 public airports that comprise the state's air transportation system.

The Commission has great concerns that the proposed NPRM will essentially impose air carrier security measures upon General Aviation (GA) aircraft weighing more than 12,500 pounds. The OAC feels that TSA is attempting to treat General Aviation just like commercial aviation, thus failing to recognize the inherent differences between the two. Additionally, implementing a one-size-fits-all approach with GA airports will never work because no two GA airports are alike. The proposal attempts to impose costly and unnecessary security regulations and restrictions without justification.

As indicated by the responses from the five public meetings recently held throughout the United States by TSA, the overwhelming majority of those commenting, including representatives from the National Business Aviation Association (NBAA), Aircraft Owners and Pilots Association (AOPA), National Association of State Aviation Officials (NASAO) and the General Aviation Manufacturers Association (GAMA) have reinforced our opposition to this TSA proposal.

General Aviation is a struggling community today. The economic recession, high cost of fuel, increasing regulation, and user fees are but a few causes. For TSA to impose such regulations, as set forth in the NPRM, is an unjustified knee-jerk reaction which will hurt a segment of aviation that does not deserve it, nor can afford it, and only adds to the decline in GA activity.

The majority of non-commercial flights TSA is targeting through its proposed Large Aircraft Security Plan are companies transporting their employees or other businessmen and women to various appointments. To require redundant background checks, fingerprinting, and further security requirements of pilots is unnecessary and impractical. The freedom of being able to go directly to an airport, board your own airplane and be on your way within minutes of arrival would no longer exist. There has been no evidence that would require a need to check equipment and tools, undergo watch list checks, perform third party audits and even hire an Air Marshal for a company business trip. And to add insult to injury, local airports, aircraft owners or operators themselves would no doubt end up paying the brunt of the costs to implement these security measures, which will basically be unfunded mandates.

Additionally, the statutory authority of TSA to impose these proposed regulations upon general aviation is dubious at best, and the constitutionality of such regulations is also a legitimate question.

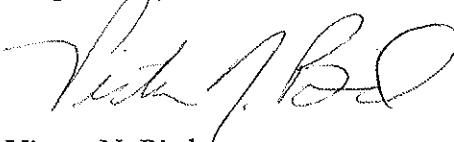
TSA should be willing to work with aviation groups such as NBAA, AOPA, NASAO, GAMA, and other aviation officials to negotiate a less costly and intrusive way to enhance GA security without creating such a burden. Along those lines, NASAO, of which OAC is a member, co-chaired an industry-wide effort to establish *Security Guidelines for General Aviation Airports* (TSA Information Publication A-001, adopted May 2004). Half of the public airports in Oklahoma have developed a security plan as recommended in those guidelines.

We fear the current TSA proposal is an unfounded step that, along with the other challenges facing GA, might cripple the General Aviation industry and community. Today, the threshold weight under the LASP proposal is 12,500 pounds; tomorrow, it could be 2,500 pounds, which is the weight of one of the most widely used GA aircraft in the U.S., the Cessna 172.

Therefore, the Oklahoma Aeronautics Commission requests that the TSA withdraw the proposed rules and focus on more reasonable, logical and cost-effective solutions for security that will enhance General Aviation rather than destroy it. In Oklahoma, we believe in the common sense maxim, "if it ain't broke, don't fix it." This in an unneeded solution searching for a problem.

Thank you for the opportunity to express our concerns.

Respectfully submitted,



Victor N. Bird

Director

Oklahoma Aeronautics Commission