

MICHAEL F. BENNET
COLORADO

COMMITTEES:

AGRICULTURE, NUTRITION, AND FORESTRY

BANKING, HOUSING, AND
URBAN AFFAIRS

HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS

SPECIAL COMMITTEE ON AGING

United States Senate

WASHINGTON, DC 20510-0609

WASHINGTON, DC:
707 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-5852

COLORADO:
2300 15TH STREET
SUITE 450
DENVER, CO 80202
(303) 455-7600

<http://www.bennet.senate.gov>

April 23, 2009

The Honorable Janet Napolitano
Department of Homeland Security Secretary
U.S. Department of Homeland Security
Washington, DC 20528

Dear Madame Secretary,

I am writing to request that the Transportation Security Administration (TSA) engage industry stakeholders and develop a plan for how to assist affected parties as the agency seeks to implement the Large Aircraft Security Program (LASP) and Security Directive 1542-04-08 ("Directive").

I strongly support efforts taken by the Department of Homeland Security and TSA to anticipate future threats and improve upon the security measures taken in our nation's airports. However, there must be a careful cost-benefit analysis and inclusion of key stakeholders, especially at small and rural airports, to ensure the feasibility of such measures. I firmly believe that security measures can be implemented in a tailored fashion. Without careful consideration and consultation with key stakeholders, we risk unfunded mandates and miscommunication over how to follow the law.

My concern with the LASP and Directive is that, particularly with regards to the Grand Junction and Montrose airports in Colorado, these measures would be very costly, yet stakeholders have not sufficiently been engaged in the process. I want to make sure that these measures are focused, necessary and not overly burdensome on smaller airports with tight budgets. Colorado businesses rely on small and rural airports to transport their personnel, to ship and receive supplies and inventory and to bring their customers and suppliers to the state. Our state has 60 general aviation airports, which produce over 15,000 jobs per year and play a significant role in the state's economy. Considering the economic significance of general aviation, it is essential that TSA work closely with the industry to craft security policies and procedures.

With regards to the LASP, the TSA's Notice of Proposed Rule Making (NPRM) does not take into consideration the economic burden that the program will have on rural airports and general aviation. My two main concerns with the LASP are that: (1) the plan's definition of "large" aircraft may be over-inclusive and have unintended consequences; and (2) the new security program would create requirements that cannot currently be met by smaller and rural airports. In crafting the program, it appears that the

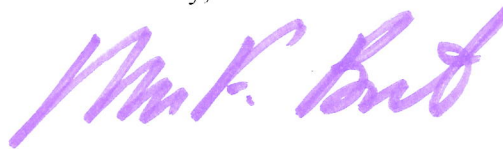
TSA did not seek sufficient input from businesses and rural airports, which has resulted in a program that may have unintended consequences for local economies. Furthermore, without assistance from the TSA, the cost of compliance and enforcement may be too high for affected airports. The adoption of the measures proposed would create significant burdens for many Colorado businesses and would make it very difficult for some of our airports to continue to operate.

Regarding the Directive, I have concerns over the economic impact of the new requirements on small communities and general aviation programs. The new identification and screening procedures would place a great burden on the industry through increased operating and staffing costs. Businesses would likely bear the impact of these increased costs and could choose alternative means of transportation. Similarly, many programs aimed at recruiting future pilots may be cut as budgets tighten to pay for higher operating costs. It is critical, therefore, that TSA engage stakeholders in the decision-making process. Where new security requirements are determined to be necessary, the federal government must provide sufficient financial resources to assist with the transition.

Given these concerns, it is important for TSA to engage industry stakeholders, develop a plan for how to assist affected parties with implementation and provide additional resources to address increased costs. General aviation users understand the importance of keeping our nation safe and it is in their best interest to provide safe and secure transportation services for their customers. It is critical that the TSA bring all interested parties together to share information and develop tailored, well-vetted measures.

I thank you for your attention on this important issue and look forward to working together to address these concerns.

Sincerely,



Michael Bennet
United States Senator

CC: Ray LaHood, Secretary of Transportation