



AIR TRANSPORT ASSOCIATION



September 13, 2011

The Honorable Mike D. Rogers
Chairman
House Subcommittee on Transportation Security
176 Ford House Office Building

Dear Chairman Rogers:

As representatives of the aviation industry, we write in support of your amendment to the Transportation Security Administration Authorization Act of 2011 on the issuance of security directives.

While we agree that TSA needs the ability to issue security directives (SDs), we believe that regulatory option should be strictly reserved for situations involving an immediate threat, as is stipulated in the Aviation and Transportation Security Act (ATSA) and in current TSA security regulations. We do not believe that Congress intended to provide TSA such latitude that it could issue SDs absent an identified threat.

There is growing concern among the aviation industry over TSA's misuse of SDs to circumvent the standard rulemaking process. A recent example was the issuance of SD 1542-04-08F. This SD expanded the requirements for background checks and badging of aviation workers. We believe this issue should have been dealt with through the normal rulemaking process, as there was no evidence that this SD was issued to address a specific emergency threat. Your amendment strikes the proper balance between TSA's need to take immediate action in the face of immediate threat while maintaining the integrity of the rulemaking process.

In closing, we thank you for your continued leadership and look forward to working with you on the adoption of this amendment.

Sincerely,

Aircraft Owners and Pilots Association
Air Transport Association
Airports Council International – North America
General Aviation Manufacturers Association
National Business Aviation Association
National Air Transportation Association