

Senate

State of Minnesota

April 7, 2009

Secretary Janet Napolitano
Department of Homeland Security
U. S. Department of Homeland Security
Washington, D.C. 20528

Dear Madame Secretary,

We are writing in regards to Docket No TSA-2008-0021: Large Aircraft Security Program, Other Aircraft Operator Security Program, and Airport Operator Security Program. We share the Transportation Security Administration's (TSA) commitment to air traveler safety, but believe this proposed regulation would severely cripple business aviation.

Minnesota is located about half way between the coasts and on the northern border of the United States and as such, our small but vibrant population faces many geographic challenges. However, despite being 22nd nationally in population, the 2008 CNN Money Fortune 500 list places Minnesota 9th, with 19 ranking companies. One very key factor that enables Minnesota based companies to compete nationally and participate in a global economy is their utilization of business aircraft.

In addition, more than just Fortune 500 companies own and operate business aircraft. For example, in Bigfork, Minnesota (population 468), Bergquist Company employs 124 people and operates a King Air 350. With the lack of commercial airline service in Bigfork, Berquist faces challenges transporting customers, engineering, sales and management staff between facilities located in Minnesota, Connecticut, South Dakota and Wisconsin. As an example, the ability to efficiently operate aircraft reduces travel time to the Bigfork, MN operations, from a 5 hour drive on weather affected roads, to a 45 minute flight.

Fagen Inc. in Granite Falls, Minnesota (population 3,100) employs 300 people and has branch offices in Colorado and South Carolina. Fagen overcomes similar challenges as mentioned above by owning and operating aircraft to transport employees to these facilities as well as nationally and internationally to visit key clients.

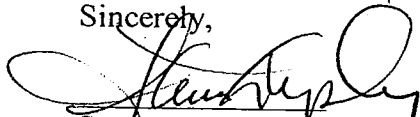
In another local example of the benefit of aircraft ownership, Marvin Windows and Doors located in Warroad, Minnesota (population 1,700) utilizes aircraft in a business shuttle operation. They currently fly 30 times a week to Minneapolis to accommodate passengers on the commercial airlines, connecting their 2,600 employees to the world. All of these communities are too small for profitable commercial air service, yet the operation of business aircraft allows them to not only exist, but to thrive in a competitive economy.

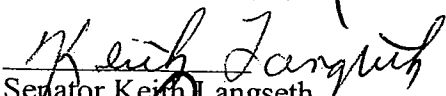
This LASP proposal would unnecessarily apply commercial and charter air carrier security requirements to private aviation, negatively affecting numerous Minnesota operators. As

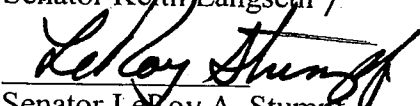
presently drafted, this rule would cost some businesses upwards of \$100,000 per aircraft, per year. It is possible that this proposed rule may prevent some Minnesota companies from operating aircraft at all.

Minnesota Legislators support keeping our airways safe and secure. However, the current LASP proposal is too restrictive, would be cost prohibitive for some Minnesota companies, and will likely ground a number of business aircraft. We urge the TSA to establish a Federal Advisor Committee to draft a more reasonable large aircraft security program and one that includes flexibility to meet local circumstances.


Sincerely,


Senator Steve Murphy



Senator Keith Langseth



Senator Leroy A. Stumpf

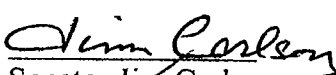

Senator Dick Day

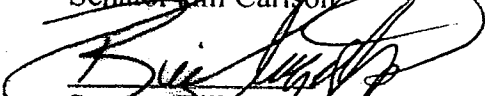

Senator Ann H. Rest

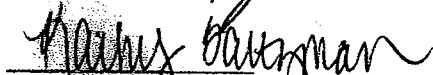

Senator David H. Senjem



Senator Julie A. Rosen

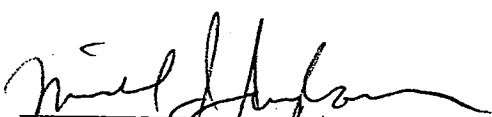

Senator Rod Skoe

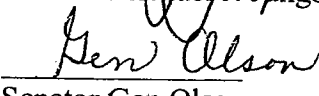

Senator Jim Carlson

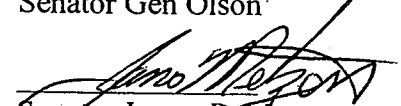

Senator Bill G. Ingebrigtsen


Senator Kathy L. Saltzman

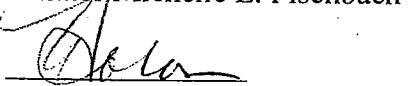

Senator Kenneth S. Kelash

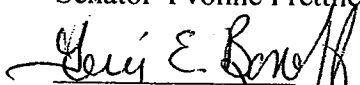

Senator Michael J. Jungbauer

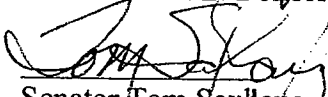

Senator Gen Olson

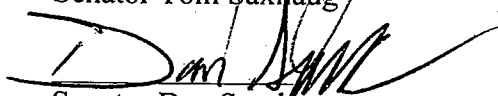

Senator James P. Metzen

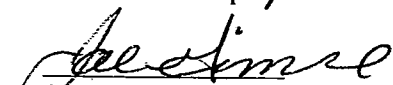

Senator Michelle L. Fischbach

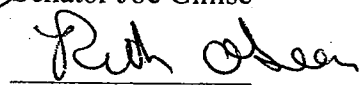

Senator Yvonne Prettner Solon


Senator Terri E. Bonoff


Senator Tom Saxhaug


Senator Dan Sparks


Senator Joe Gimse


Senator Rick E. Olseen


Senator Katie Sieben