

Congress of the United States
Washington, DC 20515

July 11, 2011

The Honorable Ray LaHood
Secretary
United States Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

Dear Secretary LaHood:

We write with serious concerns regarding the Federal Aviation Administration's (FAA) proposal to allow public access to general aviation aircraft movements. This is a troubling reversal of a decade-old policy established to uphold the privacy rights of Americans. We appreciate your attention to this matter and consideration of our request.

Due to advances of for-profit flight tracking services, Congress authorized the Block Aircraft Registration Request (BARR) program in Section 729 of Public Law 106-181. As you know, this program blocks real-time movements from public dissemination upon the request of any private aircraft owner or operator. It was established to address legitimate privacy, security and business related concerns.

First and foremost, all Americans have a right to privacy and the Federal government should not broadcast the movements of individuals utilizing private aircraft against their will. Second, American companies use the BARR program to operate free from surveillance or to explore new business opportunities without competitive interference. Lastly, there are security concerns for business leaders and individuals that use private aircraft and the BARR program prevents unknown parties and potential threats from tracking their movements.

Claims have been made that revocation of this program is needed to promote greater transparency. While all Americans support an open and transparent government, maintaining the BARR program is about the preservation of personal citizens' right to privacy. Some have also argued that this program enables operators of business or personal aircraft to avoid detection from law enforcement. However, the Department of Homeland Security and other law enforcement agencies have always had the ability to monitor and track the location of users of the national airspace system, and this will not change with the continuation of the BARR program. BARR in no way diminishes the government's ability to monitor the movement of aircraft; it simply prevents unauthorized, non-governmental actors from knowing the location of private aircraft.

The Honorable Ray LaHood

Page Two

If the proposed changes are implemented, anyone with a computer will easily be able to cyber-stalk owners and operators of general aviation aircraft. We are concerned this decision sets a dangerous precedent for the ability of government to disseminate the travel information of any citizen, regardless of the mode of transportation.

A wide range of groups have also expressed concerns about the FAA's proposal, including the U.S. Chamber of Commerce, the National Association of Manufacturers, the Business Roundtable, and the American Civil Liberties Union.

Finally, the continuation of the BARR program is currently being debated by the Congress as part of H.R. 658, the FAA Air Transportation Modernization and Safety Improvement Act. We do not believe the FAA should implement a regulation on a legislative issue currently before Congress.

Thank you again for attention to this matter and consideration of our request. Should you have any questions or require additional information, please feel free to contact us directly or Mike Matousek (Rep. Sam Graves) at 202-225-7041 or Ross Maradian (Rep. Leonard Boswell) at 202-225-3806. We look forward to your response.

Sincerely,




Sam Graves
Member of Congress



Leonard Boswell
Member of Congress



John Barrow
Member of Congress



Don Young
Member of Congress

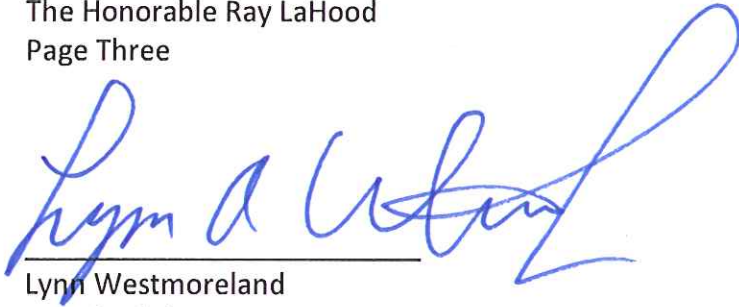


Randy Hultgren
Member of Congress

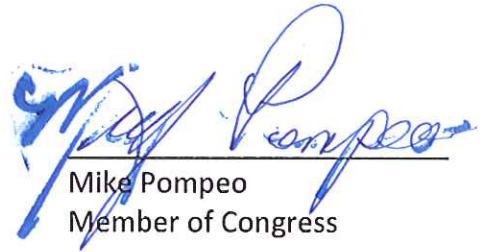


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The Honorable Ray LaHood
Page Three



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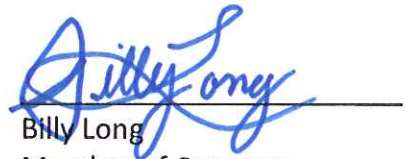
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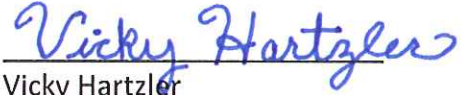
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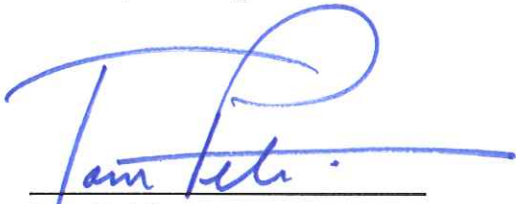
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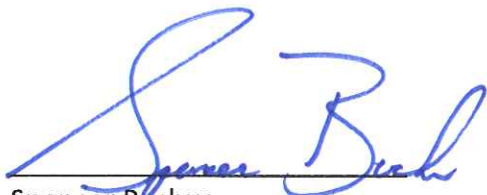
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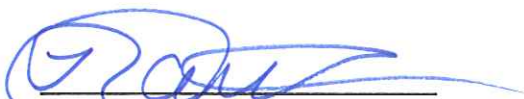
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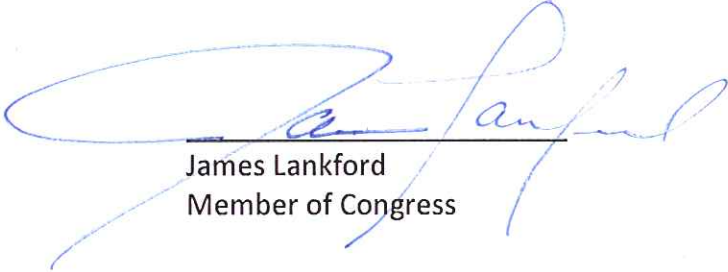
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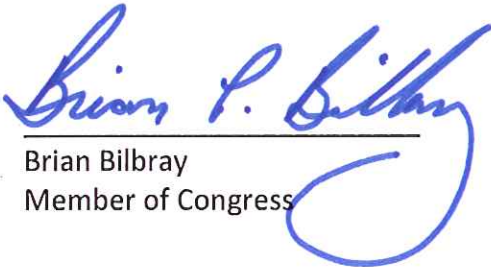
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