

Docket Management System
U.S. Department of Transportation
Room Plaza 401
400 Seventh Street SW
Washington D.C. 20590-0001

December 20, 2000

RE: Docket Number FAA-2000-8274
Notice No. 00-13

To whom it may concern:

Docket number FAA 2000-8274 is a thinly disguised attempt at the biggest "land grab" in the history of US Aviation. The FAA is mandated to "foster and further air commerce", yet this proposed rule would strip a major segment of general aviation businesses of their rights to operate in a free market economy. The NPRM is forwarded under the guise of "air safety". Yet there has never been any incident in the 80 year long history of aerial advertising in which a member of the public has had their safety compromised. In fact, the enclosed letters from FAA personnel illustrate the opposite. There is no basis for this proposal other than the greed of event promoters, who "want it all!" Withdraw this NPRM now.

A classic case of this unscrupulous greed was the attempt by FIFA at restricting flights over World Cup Soccer. Although FIFA was able to talk their way into restricting flights over Chicago, they were unsuccessful at doing so in New York, Boston and Los Angeles. Was Chicago somehow more dangerous than the other cities? No! Simply put, FIFA managed to put enough political pressure on one local FAA office to effect a ban on flights in that city. Were there any incidents, or was safety in any way compromised? No! Commercial operators have sufficient sense, training and regulation to safely operate in the vicinity of large gatherings. There is absolutely no evidence to the contrary; and given the FAA's written declaration to the opposite (see enclosed letter) then what's wrong with this picture? It's about the money! This NPRM has NO PLACE in the regulations. Retract this proposal now!

Additionally, there are a number of serious flaws and misinformation in the NPRM as it stands: For example, this NPRM is poorly researched. Clearly there is potential for massive economic impact as opposed to the assertion on page 12 that there is no significant economic impact. As one of the older and larger aerial advertising companies in this country and the world, I ask the author of the NPRM, "when were we queried as to our revenues, numbers of employees or the potential impact?" The assertion of "no significant impact" is ludicrous. The total economic impact on Aviad's operations on an annual basis exceeds \$25 million dollars, both in the loss of revenues, and in the loss to employees, suppliers and contractors. Add to this the effect from the loss of advertising space and promotional value to clients, and you have a very substantial economic impact.

I do not understand how the author of this NPRM could come to an informed conclusion without having first completed basic research; and as none of the operators affected have been queried, no research appears to have been done. In accordance with The FOA, I therefore respectfully request copies of all documentation used in coming to your economic impact conclusion. Please forward them to this address. Please also forward all copies of documentation and correspondence from the parties requesting this NPRM.

Restricted access to public airspace sets a dangerous precedent, and can never be tolerated in the USA. Withdraw this NPRM or delay it until you have completed basic research, and solicited input from all affected parties. We have a working system, which will always require enforcement and diligence. Speaking for my many associates across the nation, the 600 licensed aerial advertising companies will simply not accept this NPRM as it is worded; and will seek all means including injunctive relief to protect our constitutional rights in a free market society.

I am a commercially licensed pilot with 14,700 hours of flying time. My family is now celebrating its fourth generation of pilots with a history dating back to 1929. I am the recipient of the FAA's "Good Friend of the Year Award" based on my work in aerial advertising safety.

I remind you once again of your dictate to "foster and further air commerce," not to unjustly, unfairly or illegally hamper it.

Cordially,

WAYNE MANSFIELD
President