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March 28, 2011

The Honorable J. Randolph Babbitt
Administrator
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Via Electronic Submission

RE: Comments for the Record by the Retail Industry Leaders Association for Public Docket No. FAA-2011-0183

Dear Administrator Babbitt,

The Retail Industry Leaders Association (RILA) appreciates the opportunity to submit written comments to the Federal Aviation Administration (FAA) regarding the agency's effort to limit participation in the Block Aircraft Registration Request (BARR) program. The current program allows operators of business aircraft with privacy and industrial security concerns to request that their aircraft's flights tracking data be blocked from public distribution. RILA believes that if the proposed modification is implemented, it will threaten the competitiveness of U.S. companies and also pose a potential security risk to persons on board while failing to offer any discernable benefits.

For background purposes, RILA is the trade association of the world's largest and most innovative retail companies. RILA members include more than 200 retailers, product manufacturers, and service suppliers, which together account for more than \$1.5 trillion in annual sales, millions of American jobs and more than 100,000 stores, manufacturing facilities and distribution centers domestically and abroad.

RILA member companies maintain private aviation units for a number of reasons: to ease business travel to their stores and distribution centers across the nation, to scout real estate expansion opportunities, and to visit vendor companies. In order to keep companies and their employees activities secure from competitive insight, many of our members participate in the BARR program to block tail numbers during takeoff and landing. By allowing access to tail numbers, the proposed modification would allow anyone with access to the internet to see sensitive proprietary information from each company. The proposal creates an unnecessary competitive vulnerability for American businesses that operate in a highly competitive global market where the revelation of a company's aircraft movements can be tantamount to the forfeiture of that company's competitive edge.

In addition to the competitive advantage the BARR program affords RILA members, corporate aviation has a right to privacy and should not be forced to disclose travel activities broadly. There should be clear reasoning for a shift away from the protection of such information, since doing so could lead to corporate espionage and potentially put the lives of those on board at risk from activities of groups unfriendly to American business.

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In fact, the proposal runs completely contrary to the function of government in the area of privacy. When the sanctity of citizens' private conduct is threatened by the use of information technology, the government should protect the individual, not help to facilitate the intrusion. For this same reason, the public is not given access to license plate information or E-Z Pass records detailing where vehicles are traveling. Corporate activities should also be given the same consideration.

The BARR program has been in place, and without incident, for over a decade. RILA and our member companies value the program as it currently stands; it protects the safety of the workforce while helping to maintain a competitive marketplace. For these reasons, RILA members strongly urge the FAA to reconsider proceeding with a rule that could have damaging consequences.

Should you have any questions regarding this matter, please feel free to contact me at (703) 600-2064 or kelly.kolb@rila.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly Kolb", written in a cursive style.

Kelly Kolb
Vice President
Global Supply Chain Policy