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**RESOLUTION  
IN OPPOSITION TO GSA'S  
PROPOSED CHANGES TO THE CODE OF FEDERAL  
REGULATIONS  
(41 CFR, PART 102-39)**

**WHEREAS**, the primary purpose of the Airborne Law Enforcement Association as stated in its articles of incorporation, is to promote, develop, prepare, disseminate and evaluate information with respect to the safe utilization of aircraft as a tool of law enforcement and airborne law enforcement techniques, equipment, and philosophy as an educational service for members of the organization and the public; and

**WHEREAS**, the Code of Federal Regulations (41 CFR Part 102-37) requires federal agencies to transfer excess personal property to other federal agencies as the highest utilization of such property and when no federal need is expressed, the next highest priority is to transfer such property into public use through the state agencies for surplus property; and,

**WHEREAS**, Section 1033 of the National Defense Authorization Act of 1997 authorizes the Department of Defense to transfer excess military equipment to state and local law enforcement agencies having officers with powers of arrest and apprehension; and,

**WHEREAS**, according to the U.S. Department of Justice, Bureau of Justice Statistics' Special Report titled, "Aviation Units in Large Law Enforcement Agencies, 2007," as of month ending June 2007, 24 percent of all aircraft operated by state, municipal, and local law enforcement agencies were acquired through Section 1033 of the National Defense Authorization Act of 1997; and,

**WHEREAS**, state, local, and municipal law enforcement agencies throughout the United States continue to rely heavily on military surplus aircraft and aircraft parts to fulfill their law enforcement missions and have invested millions of dollars and countless hours starting their operations and maintaining and upgrading their aviation assets; and,

**WHEREAS**, the changes to 41 CFR, Part 102-39 being proposed by the General Services Administration would, in effect, cripple and/or eliminate many state, local, and municipal law enforcement agencies' airborne law enforcement operations;

**THEREFORE BE IT RESOLVED THAT** the Airborne Law Enforcement Association is opposed to any changes to 41 CFR Part 102-39 that result in hindering law enforcement agencies from participating or continuing to participate in Section 1033 of the National Defense Authorization Act of 1997.

*Adopted by the Airborne Law Enforcement Association Board of Directors on August 24, 2009.*