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Congress of the United States
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July 28, 2022

The Honorable Chris Magnus
Commissioner
U.S. Customs and Border Protection
1300 Pennsylvania Ave NW
Washington, D.C. 20229

Dear Commissioner Magnus,

I write to you today requesting information as to why Customs and Border Protection (CBP) will not designate Plattsburgh International Airport (PBG) as a Port of Entry (POE). PBG is a vital economic engine within the 21st Congressional District of New York.

PBG is currently the only airport in the region designated as a user-fee airport and is located only 25 miles from multiple land POEs. However, CBP still designates it as a user-fee airport, instead of a POE. This situation creates a significant disadvantage for PBG by imposing user-fees in excess of \$500,000 annually, a substantial financial burden on the airport. The current passenger volume of PBG and land POEs within 30 miles is significant and shows a sufficient need for PBG to be designated as a POE.

In accordance with Treasury Decision (T.D.) 82-37, *Customs Criteria for Establishing Ports of Entry and Stations*¹, the actual or potential customs workload in an area and a combination of vehicles at land border ports and at international air arrivals is criteria that should be considered when establishing customs ports of entry and stations.

CBP has terminated the user-fee status of airports in the past by implementing the aforementioned methodology to successfully change the designation of the New River Valley Airport in Dublin, Virginia. CBP explicitly stated in its final rulemaking that the potential customs volume in the region supported CBP's final rule establishing a POE at New River Valley, Virginia and terminating the user-fee status of the New River Valley Airport².

Given the authority provided in T.D. 82-37 and CBP's precedent terminating the user-fee status of airports, I request CBP provide my office with information regarding why the agency refuses to designate PBG as a POE and terminate their user-fee status. There should be no delay in

¹ Treasury Decision 82-37 (Revision of Customer Criteria for Establishing Ports of Entry and Stations)

² Termination of the User-Fee Status of New River Valley Airport, 71 Fed. Reg. 20005 (April 19, 2006).

providing PBG with the same services provided other airports in the region. As this issue is critically important to the airport and the region, I request a briefing on this information to be provided no later than August 12, 2022.

Sincerely,



Elise M. Stefanik
Member of Congress