

Congress of the United States
Washington, DC 20515

May 16, 2016

President Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Secretary Anthony Foxx
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, D.C. 20590

Dear President Obama and Secretary Foxx:

We write to express our opposition to the Department of Transportation (DOT)'s tentative approval of a foreign air carrier permit to Norwegian Air International (NAI). Our opposition is based upon NAI's proposed labor scheme, which does not comply with the letter and spirit of the U.S.-EU Air Transport Agreement (ATA), and Article 17 bis in particular. NAI has been transparent in its intentions of incorporating in Ireland and utilizing flight crews hired by an independent employment agency under Singaporean or Thai employment contracts – a clear violation of the ATA.


We strongly support the concept of U.S. Open Skies Agreements. Under this policy, the U.S. aviation industry and its employees have benefited from expansions into new international markets and increased competition. This has not only been good for consumers, but has led to a healthy and vibrant aviation industry.

Article 17 *bis* of the Open Skies Agreement clearly states that “the opportunities created by the Agreement are not intended to undermine labour standards or the labour-related rights and principles contained in the Parties’ respective laws.” When this provision was adopted during the second stage negotiations in 2010, negotiators hailed it as a breakthrough and a clear commitment to promoting high-road labor practices. It is particularly disturbing then that the April 15th DOT show cause order dismissed this “breakthrough” provision as unenforceable and inapplicable to not only the NAI application, but any future application. If this decision is made final it would allow NAI to operate outside of the rules that every other carrier, foreign or domestic, understood to be in place in order to operate in the transatlantic marketplace. This is made clear by the numerous filings made by major European and U.S. air carriers in opposition to the NAI application on the grounds that it violates Article 17 *bis*.

The U.S. aviation industry is a pillar of our economy and an important middle-class job creator. Bilateral air transport agreements have enjoyed wide support in this country because they have successfully fostered increased competition while providing greater opportunities for U.S. airlines and their workers. However this success is dependent on the implementation and enforcement of agreements that promote balanced competition and business practices that encourage growth and high labor standards. Approving NAI's application would set the wrong precedent, undermine trust in the Administration's ability and willingness to enforce current and future trade agreements, and cost the U.S. economy billions of dollars.

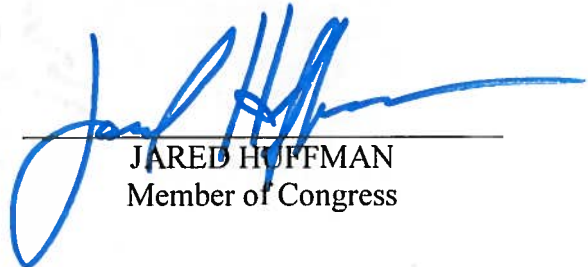
We appreciate your attention to this matter and your willingness to solicit input from stakeholders. The labor protections enshrined in Article 17 bis of the U.S.-EU Air Transport Agreement are of critical importance to our airline workers, carriers, and the consumers that count on them, and we urge DOT to reverse this dangerous course. We look forward to your response.

Sincerely,


CHRIS COLLINS
Member of Congress


JOHN GARAMENDI
Member of Congress


TIM RYAN
Member of Congress


JARED HOFFMAN
Member of Congress

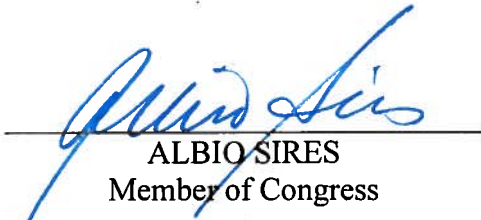

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Member of Congress

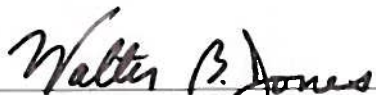

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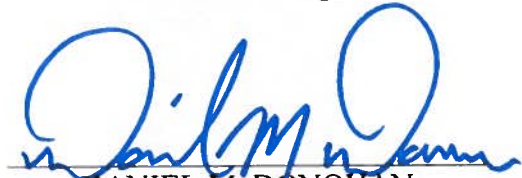

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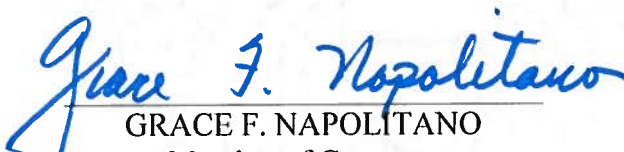

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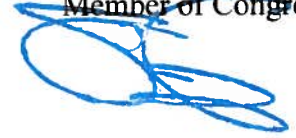

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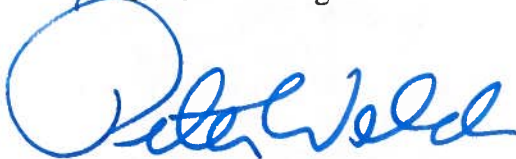
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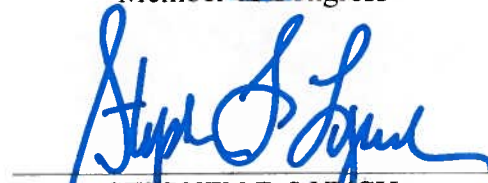

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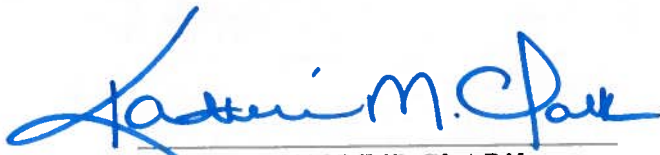

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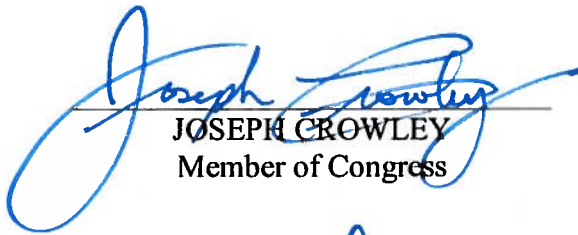
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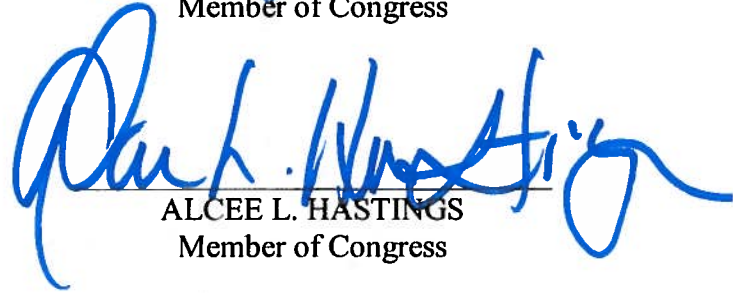

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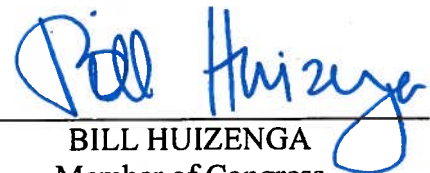
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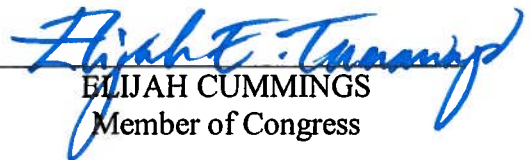
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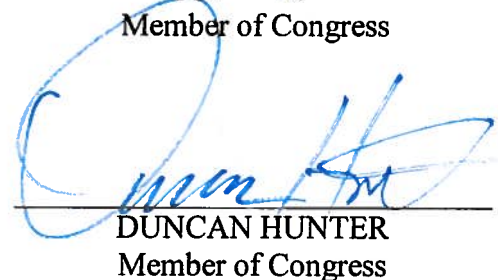

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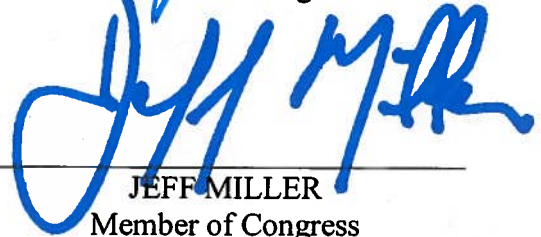
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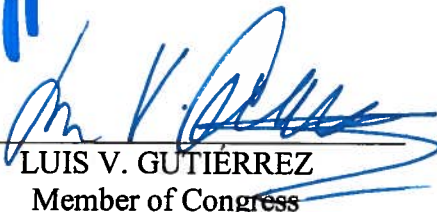
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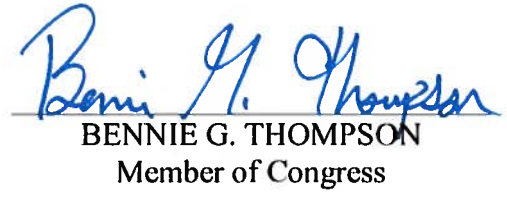


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