

Congress of the United States
Washington, DC 20515

December 20, 2016

The Honorable Donald J. Trump
The President-elect
1717 Pennsylvania Avenue N.W.
Washington, D.C. 20006

Dear Mr. President-elect:

On December 2, 2016, the Department of Transportation (DOT) made a grievously wrong decision to grant Norwegian Air International a foreign air carrier permit for U.S.-Europe air services. Given your commitment to protecting American jobs and our national security, we strongly urge you, on Day One of your presidency, to revoke or suspend the permit until Norwegian changes its business model to a model that does not rely on a flag of convenience and threaten America's international aviation industry and our national security.

Norwegian is "Norwegian" in name only: Its crews work under short-term contracts, many governed under Singapore law; some crewmembers are based in Bangkok; and the company is organized and regulated in Ireland. It is, for all intents and purposes, a virtual airline. Norwegian is the first airline in the transatlantic market to fly under a flag of convenience, but the Department's recent decision guarantees Norwegian will not be the last.

If the DOT's decision stands, other airlines are likely to follow suit and organize subsidiaries in foreign countries with lax labor laws, tax loopholes, or weak safety and security oversight. Global civil aviation will devolve into a system that relies on flags of convenience. This race to the bottom will threaten the viability of U.S. airlines and their fleets of widebody aircraft that comprise the Civil Reserve Air Fleet (CRAF). Under the CRAF program, airlines volunteer parts of their fleets for military use during national emergencies and in times of war. More than 130 widebody aircraft in the United States' three major long-haul carriers' fleets were available for mobilization by the Department of Defense under the CRAF program as of January 2016. However, if U.S. carriers find themselves unable to compete with other airlines that copy Norwegian's flag-of-convenience business model, U.S. airlines will downsize their widebody fleets, and our ability to move troops and materiel will suffer substantially. National security, as well as American jobs, is on the line.

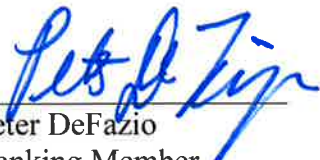
The U.S.-E.U.-Iceland-Norway Open Skies agreement opened the transatlantic aviation market. Norwegian and every airline in the market benefit from the right under the agreement to fly from anywhere in the United States to anywhere in Europe. In creating this lucrative right, however, the agreement included protections to ensure fairness in the transatlantic aviation market.

The DOT ignored those protections, as well as well-established law prohibiting a decision inconsistent with those protections, in granting Norwegian's permit, and our country will pay a price for that failure of responsibility. We will pay that price as we watch a race to the bottom among airlines that are forced to compete with Norwegian. Moreover, while Norwegian chose the safe harbor of a country whose labor laws permit forum-shopping for the cheapest labor, the next airline to fly under a flag of convenience may choose the safe harbor of an opportunistic country with weak safety and security regulations, with serious consequences for safety and national security.

We strongly urge you to correct the Department's mistake. We urge you, on Day One of your presidency, to start the process necessary to revoke or suspend Norwegian's permit.

Thank you for your consideration of our views.

Sincerely,



Peter DeFazio
Ranking Member
Committee on Transportation
and Infrastructure



Frank A. LoBiondo
Member of Congress


Rick Larsen
Member of Congress

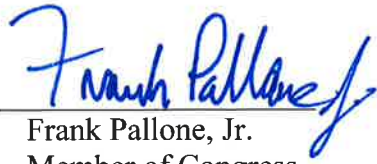

John Katko
Member of Congress

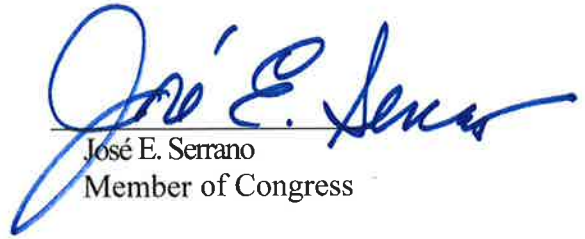

Marcy Kaptur
Member of Congress


Peter J. Visclosky
Member of Congress


John Lewis
Member of Congress

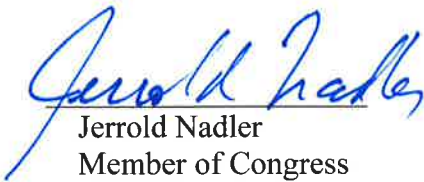

Fred Upton
Member of Congress

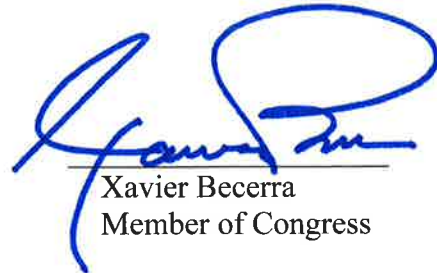

Frank Pallone, Jr.
Member of Congress

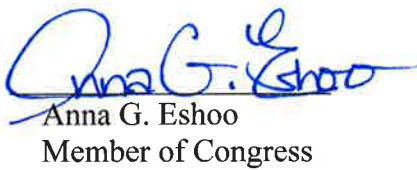

José E. Serrano
Member of Congress



Rosa DeLauro
Member of Congress

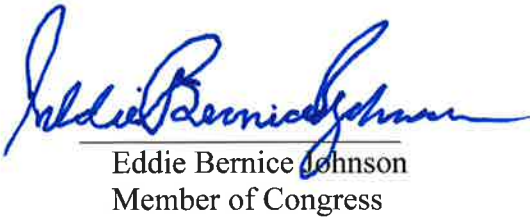

Collin Peterson
Member of Congress


Jerrold Nadler
Member of Congress


Xavier Becerra
Member of Congress

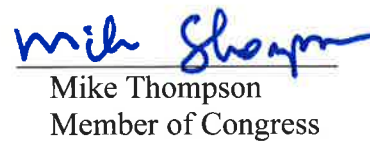

Anna G. Eshoo
Member of Congress


Alcee L. Hastings
Member of Congress


Eddie Bernice Johnson
Member of Congress

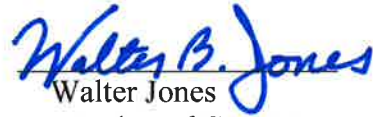

Lucille Roybal-Allard
Member of Congress


Nydia Velazquez
Member of Congress


Mike Thompson
Member of Congress



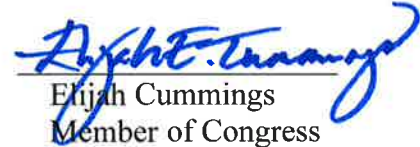
Michael F. Doyle
Member of Congress



Walter Jones
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Zoe Lofgren
Member of Congress



Elijah Cummings
Member of Congress



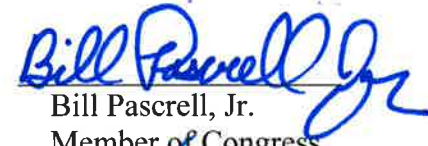
Diana DeGette
Member of Congress



Ron Kind
Member of Congress



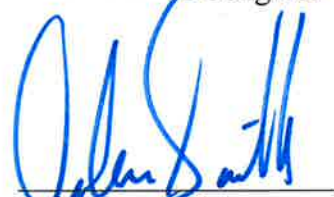
Jim McGovern
Member of Congress



Bill Pascrell, Jr.
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Pete Sessions
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Adam Smith
Member of Congress



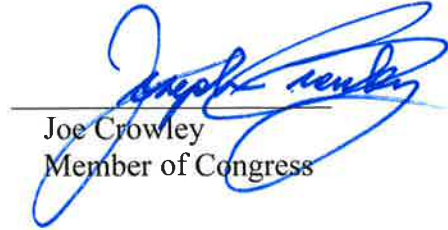
Barbara Lee
Member of Congress



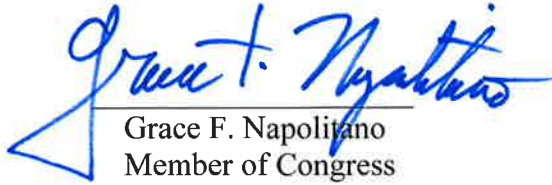
Robert A. Brady
Member of Congress



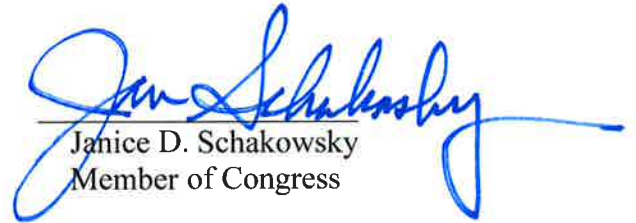
Michael E. Capuano
Member of Congress



Joe Crowley
Member of Congress



Grace F. Napolitano
Member of Congress



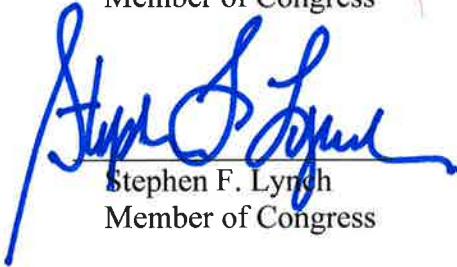
Janice D. Schakowsky
Member of Congress



James R. Langevin
Member of Congress



Betty McCollum
Member of Congress



Stephen F. Lynch
Member of Congress



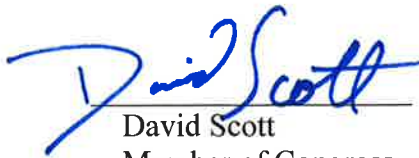
C. A. Dutch Ruppberger
Member of Congress



Tim Ryan
Member of Congress



Linda T. Sánchez
Member of Congress




David Scott
Member of Congress



Brian Higgins
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Daniel Lipinski
Member of Congress



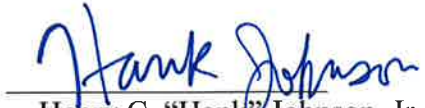
Gwen Moore
Member of Congress




Albio Sires
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Keith Ellison
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Henry C. "Hank" Johnson, Jr.
Member of Congress



David Loebsack
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Ed Perlmutter
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Peter Welch
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Jackie Speier
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Richard M. Nolan
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Gerald E. Connolly
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Duncan Hunter
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Ben Ray Lujan
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Paul D. Tonko
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Mike Quigley
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Judy Chu
Member of Congress



John Garamendi
Member of Congress



Mike Fitzpatrick
Member of Congress

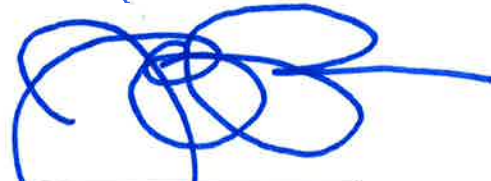

Bill Foster
Member of Congress


Mo Brooks
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Bob Gibbs
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William R. Keating
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David McKinley
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James B. Renacci
Member of Congress



Suzanne Bonamici
Member of Congress



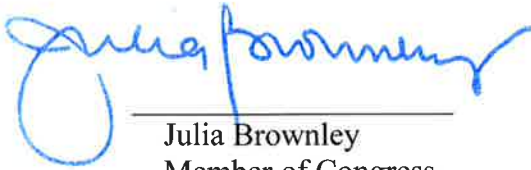
Suzan DelBene
Member of Congress



Donald M. Payne, Jr.
Member of Congress



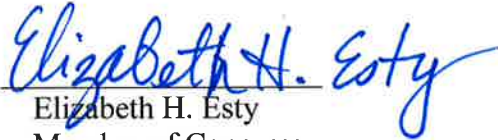
Alan Grayson
Member of Congress



Julia Brownley
Member of Congress



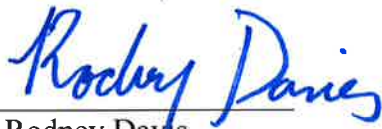
Tony Cardenas
Member of Congress



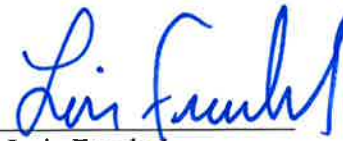
Elizabeth H. Esty
Member of Congress



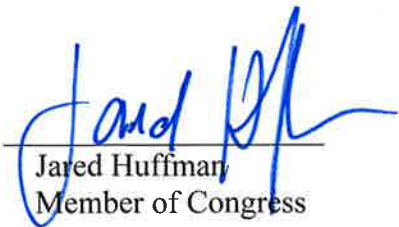
Paul Cook
Member of Congress



Rodney Davis
Member of Congress



Lois Frankel
Member of Congress



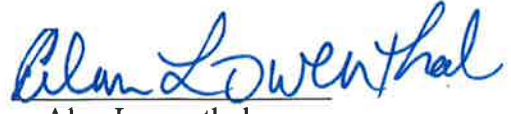
Jared Huffman
Member of Congress



Hakeem Jeffries
Member of Congress



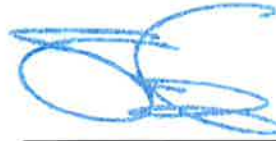
David P. Joyce
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Alan Lowenthal
Member of Congress



Michelle Lujan Grisham
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Sean Patrick Maloney
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Scott Peters
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Mark Pocan
Member of Congress



Kyrsten Sinema
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Alma S. Adams
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Donald Norcross
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Mike Bost
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Brendan F. Boyle
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Ryan A. Costello
Member of Congress



Carlos Curbelo
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Mark DeSaulnier
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Debbie Dingell
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Ruben Gallego
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Ted W. Lieu
Member of Congress



Seth Moulton
Member of Congress



Kathleen M. Rice
Member of Congress



Lee Zeldin
Member of Congress



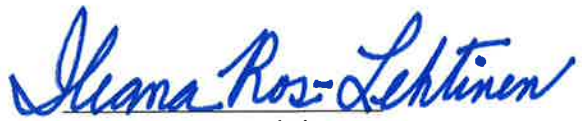
Madeleine Z. Bordallo
Member of Congress



Eleanor Holmes Norton
Member of Congress



Stacy E. Plaskett
Member of Congress



Ileana Ros-Lehtinen
Member of Congress

Louise M. Slaughter

Louise Slaughter
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Lou Barletta

Lou Barletta
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Sander M. Levin

Sander M. Levin
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Jared Polis

Jared Polis
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