



April 10, 2013

The Honorable Janet Napolitano
Department of Homeland Security
U.S. Department of Homeland Security
Washington, DC 20528

Dear Madame Secretary:

We understand that the Department of Homeland Security (DHS) plans to enter into a reimbursement agreement with the government of the United Arab Emirates to provide preclearance U.S. national security services at Abu Dhabi International Airport. Such an agreement would set a dangerous and unauthorized precedent which will negatively impact our customers, our employees, the U.S. economy and the global competitiveness of the U.S. airline industry. As such, we ask for your assurance that DHS will not enter into such an agreement.

As we have previously written, a pay-to-play construct, like the reimbursement agreement with Abu Dhabi cited in last week's Aviation Daily article, creates an incentive for DHS to shift its sources of funding to foreign governments or other inappropriate entities. Domestic Customs and Border Protection (CBP) facilities are partially funded by the airlines, airports and their passengers entering the United States. The reported Abu Dhabi agreement will shift the resource allocation dynamic to reward deep pockets while entry points with the greatest travel demand and need for staff continue to suffer. CBP has been working for two years to create a staffing model that demonstrates which ports of entry have the highest traffic levels and thus merit additional staffing. Our government resources, in this case, America's CBP officers, should not be for sale to the highest bidder.

At a time when U.S. carriers and airports are fighting to maintain our global competitiveness the U.S. government should not be signing a deal that benefits a foreign emirate and its wholly-owned national carrier, particularly since no U.S. carrier serves that emirate. This deal clearly puts U.S. airlines and their employees at a competitive disadvantage. This agreement will enable Abu Dhabi to promise their passengers from all over Asia and the Middle East facilitated travel to America. Middle Eastern carriers, and their governments, make no secret about their aim to make places like Abu Dhabi global hubs for commerce and tourism. Abu Dhabi's position is not surprising; having the U.S. government support that strategic aim at the expense of U.S. airlines, workers, airports and U.S. travel and tourism strains comprehension.

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It is worth noting that the recently signed Consolidated and Further Continuing Appropriations Act of 2013 authorized a very limited reimbursement pilot program to be available only at five domestic ports for a limited period of time. While DHS has been seeking Congressional approval for authority to enter into a preclearance agreement with “any entity” to provide cover for this agreement with the UAE, Congress did not provide DHS that broader authority precisely because support for this proposed new practice does not exist.

We have a shared goal of increasing travel and tourism in the United States. Our industry has been working very closely with CBP for more than a year to address excessive wait times at our country’s gateway airports. Those wait times, of up to three to four hours, have been occurring for too long and discourage travel to our country. Until recently, these wait times have been mainly driven by a misallocation of CBP staff to land borders and other modes of transportation that pay nowhere near the \$1.5 billion our passengers pay annually for CBP’s customs, agriculture and immigration inspections.

We therefore ask that you cease efforts to obtain funding from foreign governments and instead continue to work collaboratively with the U.S. airline, airport and travel and tourism industries to resolve lengthy wait times at U.S. airports.

We are committed to continuing to work with you and Congress to address these critical issues.

Respectfully yours,

Airlines for America
Air Line Pilots Association
Airports Council International – North America
Consumer Travel Alliance
Global Business Travel Association
Regional Airline Association