



*Association of Professional Flight Attendants*

*Office of the President*

August 20, 2014

The Honorable Anthony Foxx  
Secretary  
U.S. Department of Transportation  
1200 New Jersey Ave S.E.  
Washington, D.C. 20590

Dear Secretary Foxx:

The Association of Professional Flight Attendants, representing the Flight Attendants of American Airlines, would like to respond to the Notice that the Department filed on August 4 summarizing the EU Commission's views on the application of Article 17 bis of the U.S.-EU Air Services Agreement to foreign carrier applications for operating authority. As requested, APFA will confine its comments to the information contained in the Notice.

APFA believes that the Notice did not contain any new information significant enough to support the approval of NAI's application. The European Commission's position is that Article 17 bis does not provide a basis for DOT to unilaterally deny NAI's application. However, the EC's argument completely ignores the clearly stated objectives of Article 17 bis, to wit, maintaining high labor standards in the transatlantic market, and to prohibiting carriers from "shopping" for a country with lower standards in order to skirt the labor protections of their own country. It is incumbent upon DOT to prevent the establishment of "flags of convenience" in transatlantic aviation.

Another important point the EC's position ignores is the fact that the Open Skies Agreement specifically acknowledges that DOT will not forfeit its authority and obligation to conduct critical public interest review of airline certification requirements. Of course, DOT must recognize the regulatory decisions made in Europe and act promptly on applications, but in this case there are legitimate causes for concern and a thorough investigation of NAI's business model is necessary. For that reason, DOT should deny NAI an exemption, which would expedite consideration of the application.

As the late Chairman Oberstar noted in a letter earlier this year, the objective at the heart of Article 17 bis is prohibiting flag of convenience carriers in the transatlantic market.

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APFA believes this goal would be irrecoverably undermined if DOT approved the NAI application. Granting the application would set off a race to the bottom, where more and more carriers would be forced to abandon fair labor standards in order to compete with NAI on cost. A situation like that, in the busiest aviation market on the planet, would have catastrophic effects on US-based carriers like American Airlines and their workers, including American's 24,000 Flight Attendants.

In conclusion, APFA reiterates the arguments set forth in our previous letter (dated April 2, 2014) and adds the foregoing reasons for its opposition to NAI's application. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Laura R. Glading". The signature is written in a cursive, flowing style.

Laura Glading  
National President  
APFA