

Congress of the United States

Washington, DC 20510

May 11, 2020

The Honorable Joel Szabat
Assistant Secretary for Aviation and International Affairs
United States Department of Transportation
Washington, DC 20590

Dear Assistant Secretary Szabat:

On April 27, 2020, Delta Airlines filed with the U.S. Department of Transportation (DOT) a request for exemption from service requirements for nine airports across the United States, including three airports in Michigan that we proudly represent. We write to oppose this request for exemption and in the alternative encourage the FAA to ensure that any exemptions based on public health concerns be automatically revoked upon the easing of travel restrictions in our state.

As public officials, protecting the public health is of paramount importance to us as we know it is for the DOT. We understand and appreciate Delta's extensive efforts to protect the health and safety of their employees, their customers, and the employees of the airports that they serve. However, Delta's request from exemption of Lansing Capital Region International Airport (LAN), Flint-Bishop International Airport (FNT), and Kalamazoo/Battle Creek International Airport (AZO) does not comport with Congress' intent to preserve aviation service in the Coronavirus Aid, Relief, and Economic Security (CARES) Act, does not sufficiently take into account new measures being deployed by airports, airlines, and governments to protect employees and public health, and does not adequately provide for an on-ramp back to service. Congress included provisions in the CARES Act to support the continuation of aviation service because of its importance to our economy and to our citizens. The substantial financial assistance to the aviation sector, including airlines, and airports in the CARES Act was predicated on support for aviation sector employees and the continuation of service that is a benefit to all air-traveling customers. The exemptions proposed for Michigan airports would undermine this intent.

The aviation sector—including airlines and airports—has undertaken tremendous efforts to protect its employees and the public. Delta for example, has begun temperature screenings, provided personal protective equipment (PPE), and voluntary leave to their employees. They have also drastically enhanced deep-cleaning procedures and limited seating on airplanes. Airports, including the ones at issue here, have undertaken similar measures to protect employees and the public, including providing PPE to employees, ramping up major cleaning efforts, and improving public health and safety protocols. These measures continue to be updated and enhanced, creating minimal risk to employees and passengers. Delta's request for exemption only seeks to "minimize" risks but does not identify what specifically is being minimized with an exemption, how it would be minimized, or how DOT or Delta will determine when such risk is no longer substantial enough to necessitate an exemption. We in turn, would suggest that if DOT does grant an exemption in these instances, that it last no longer than any restrictions on travel.

Thank you for your consideration of our request and input and please do not hesitate to contact us with any questions.

Sincerely,

Gary C. Peters /s/
Gary C. Peters
United States Senator

Debbie Stabenow /s/
Debbie Stabenow
United States Senator

Fred Upton /s/
Fred Upton
Member of Congress

Elissa Slotkin /s/
Elissa Slotkin
Member of Congress

Daniel T. Kildee /s/
Daniel T. Kildee
Member of Congress