



January 30, 2017

SENT VIA FAX & EMAIL

The Honorable John F. Kelly
Secretary of Homeland Security
Washington, D.C. 20528

Re: Exempting Flight Attendants Legally Based in the U.S. or Employed by U.S. Airlines from the Presidential Executive Order Issued January 27, 2017

Dear Secretary Kelly:

The Association of Flight Attendants-CWA (“AFA”), representing 50,000 Flight Attendants based in the U.S. or employed by U.S. carriers, is writing to congratulate you on your confirmation as Secretary of Homeland Security. AFA is committed to assisting you in any way possible to ensure that Homeland Security can carry out its vital mission of protecting Americans from all threats whether foreign or domestic. As the world’s largest Flight Attendant union, AFA has vast experience in working with U.S. federal agencies to improve air safety for the traveling public.

Consistent with that mission, AFA is writing to protest the January 27, 2017 Presidential Executive Order (“EO”) barring entry into the United States of citizens from seven (7) Muslim-majority countries. Some AFA members hold passports from the affected countries and despite having legal status to enter the United States working for one of our airlines, the EO apparently includes these crewmembers who have served as the critical last line of defense in U.S. aviation security for years. As a result, this EO directly impacts their very livelihood as a Flight Attendant and jeopardizes their ability to enter the United States while on duty.

Despite the enhanced government security clearance Flight Attendants are required to obtain before working for a U.S. airline, this arbitrary and sudden EO will cause the loss of good, well-paying American jobs. To remedy this clearly unintended consequence, AFA is requesting that the Department of Homeland Security issue an immediate directive exempting Flight Attendants based in the U.S. or working legally for a U.S. airline from the reach of this EO. Without that directive, Flight Attendants working for U.S. airlines who hold passports from Iran, Iraq, Libya, Somalia, Syria, Sudan and Yemen will be barred entry into the U.S. when working international flights. The disruption to their lives will be devastating and the economic harm potentially extends to all U.S. Flight Attendants due to the immediate application of the EO and the response by other nations.

The implementation of this action is different than anything we have seen before. Consideration of the impacts of a proposed action, such as security screening issues, and the effects it would have on airline and airport employers and employees are evaluated in advance by the agencies whose regulated parties and their employees would be affected by the proposed action. This is critical for the aviation industry, including charter operations, which accounts for more than 5% of U.S. gross domestic product, contributes \$1.6 trillion in total economic activity and supports nearly 11 million jobs. (The Economic Impact of Civil Aviation on the U.S. Economy, U.S. Department of Transportation, Federal Aviation Administration, November 2016).

The opportunity for stakeholders, including employers and their labor representatives, to weigh in on federal action in advance is extremely important, since they are able to pose questions and raise concerns about intended and unintended impacts of the action on their operations and affected workers.

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The stated purpose of the EO is to “protect the American people from terrorist attacks by foreign nationals admitted to the United States.” As you well know, Flight Attendants are required to undergo extensive vetting to ensure they properly perform their jobs as safety professionals on U.S. aircraft both in domestic and international operations. They must undergo extensive background checks and criminal history records checks to work as crewmembers. Consequently, Flight Attendants who have received security clearance from the U.S. government as a condition of their employment cannot possibly be considered as persons intended to be covered under this EO. To the contrary, Flight Attendants are first responders and the last line of defense against terror attacks on U.S. airlines.

For these reasons, AFA respectfully requests that Homeland Security issue an immediate directive exempting U.S.-based Flight Attendants and those legally working for U.S. airlines from the scope of this EO.

AFA remains committed to serving as a key partner in promoting our safe and secure U.S. aviation system for our members and the traveling public. We look forward to meeting with you to address operational issues and collaborating on our common mission.

Sincerely,



Sara Nelson

AFA International President

cc: Kevin McAleenan,
Acting Commissioner,
U.S. Customs and Border Protection