

are almost exclusively bilateral. As such, they reflect a balance of benefits for the U.S. and our trade partner, often with in-country and beyond operating rights, and they are overseen by the Departments of State, Transportation, and Justice, rather than the United States Trade Representative. Given the complexity and size of the U.S. aviation market—which accounts for over half of the world's aviation marketplace—retention of this model is necessary to ensure that the exchange in air traffic rights is done in a way that promotes strong safety, labor and working condition standards, while also ensuring an equitable competitive environment for U.S. airlines. Critical to achieving this goal has long been the continued enforcement of U.S. foreign ownership and control and cabotage laws, along with strong U.S. DOT and DOJ regulatory oversight.

The negotiation of the U.S.-EU Open Skies agreement, which began in the middle of the last decade, presented many unique challenges. While the European Union is an economic and political union of 28 member states, each of these states has retained its respective governmental aviation regulatory authority. Therefore, rather than dealing with a single aviation regulatory body and one set of labor and social laws as we had with previous agreements, we were dealing with multiple aviation regulatory authorities and sets of labor and social laws. While there are base standards for safety and labor laws, the individual nation-state laws still differ widely.

Given the unique nature of negotiating with the EU, many of my colleagues and I were concerned about proposed changes in regulatory structure that would allow any EU airline to operate from any point in the EU to any point in the U.S. and to establish subsidiaries in other EU states. Despite this “European status” for operating and corporate rights, there was no EU-wide law that governed key labor-management relations aspects of these airlines. Instead, these aspects—such as selection of bargaining representatives and contract negotiations—were, and continue to be, subject to the national labor laws of the respective European countries.

During the negotiations, EU representatives expressed concern that such an arrangement could lead to “forum shopping” where European airlines would seek to operate out of countries with less robust labor and social laws. This could allow airlines to seek the lowest common denominator in terms of labor and regulatory standards thereby lowering their own operating costs but driving down standards throughout the EU. In other words, the EU was concerned that new airlines could be launched using a NAI-like business model.

This concern led negotiators to include in the agreement Article 17 bis (“Social Dimension”), which states that “the opportunities created by the Agreement are not intended to undermine labour standards or the labour-related rights and principles contained in the Parties’ respective laws.” It further states that “the principles in paragraph 1 shall guide the Parties as they implement the Agreement.” The fact that there was no equivalent to Article 17 bis in any of the previous Open Skies agreements with EU member states is a direct acknowledgement of the challenges posed by the regulatory and legal arrangement within the EU.

Article 17 bis was a critical factor in the “Agreement”. I applauded its inclusion as an important and necessary step in protecting against the use of market-opening aviation trade agreements to lower labor standards throughout the transatlantic aviation market: the largest aviation trade market in the world.

Today, in light of NAI’s application for a foreign air operator’s certificate, as well as the plethora of public comments that the DOT has received on this application, I believe that the inclusion of Article 17 bis and the concerns that led to its inclusion were particularly prescient.

Mr. Secretary, you and the DOT International policy staff are familiar with the details of NAI’s application and business model, but key facts are worth repeating: NAI is a subsidiary of Norwegian Air Shuttle (NAS), a low-cost European carrier based out of Norway. When Norway became a signatory of the U.S.-EU Open Skies Agreement in 2011, NAS was afforded the same access to air traffic rights under that agreement as other EU carriers. Rather than expand its operations with its existing corporate structure, its workforce and collective bargaining agreements, NAS created NAI and proceeded to register its long-haul aircraft in Ireland and obtain an Irish Air Operator’s Certificate—effectively becoming an Irish airline despite the fact that it has no announced plans to operate in Ireland.

This move allowed NAS to expand its long-haul operations through NAI, but also to escape Norway’s social laws and to evade existing collective bargaining agreements with its Norwegian pilots and flight attendants. For example, NAI’s pilots are based in Thailand and employed under individual employment contracts that are covered by the laws of Singapore. These pilots are then contracted to NAI. The individual employment contracts prevent collective bargaining, and allow NAI to drastically reduce labor costs and gain an unfair competitive advantage over U.S. and European carriers who currently operate in the transatlantic market. The workforce arrangement for flight attendants is still evolving, but what I have learned is that NAI is hiring and basing its cabin crewmembers outside of its home country in what is clearly a plan to secure substandard wages and working conditions and to blatantly evade its collective bargaining obligations in Norway. NAI is pursuing, quite simply, what in maritime law is called a “Flag of Convenience” strategy.

NAI has not denied that it registered in Ireland to avoid the application of Norwegian labor laws to its crews. Other economic justifications presented for selecting Ireland over other possible places to incorporate, the validity of which also have been effectively rebutted by several opponents, appear to be intended to distract from this central and undisputed motivation. The company is thus taking advantage of the opportunities provided by the U.S.-EU Open Skies Agreement in order to lower its own labor costs and undercut the competition, the very scenario that EU negotiators feared when Article 17 bis was included in the U.S.-EU agreement.

I believe that the evidence and arguments submitted in the public docket provide the Department with ample justification to deny the application.

During my years of service on the House Committee on Transportation and Infrastructure, conducting vigorous oversight of international aviation trade, I learned that liberalization and market expansion could provide numerous benefits to consumers, open business opportunities for U.S. carriers and create jobs. But I also observed that effective market expansion required the thoughtful and careful approach of balancing reduced trade barriers with the assurance of fair competition and the public interest. We understand the strategic and economic significance of the U.S. airline industry to our nation’s well-being, and further understand the unique challenges inherent in implementing the expansive and complicated U.S.-

EU Open Skies Agreement in a productive and responsible manner.

With this background, I believe that this is an important inflection point for how we as a nation project and secure America’s role in the global aviation marketplace. The negotiators for both sides in the U.S.-EU Open Skies Agreement negotiations understood the risks and adverse consequences that irresponsible liberalization could pose to the airline industries and workforces on both sides of the Atlantic. They resisted deliberate efforts to dismantle the U.S. ownership and control and cabotage laws, and they included, for the first time ever, a labor article in the final agreement. In doing so, they made an unmistakable statement that the terms of competition must not be set by those who would seek to gain an unfair advantage at the expense of quality jobs and high labor standards.

The Department should implement the Agreement in the spirit of Article 17 bis and concern for both fair competition and balanced trade benefits. Were NAI to be allowed to operate as proposed, the dynamic of transatlantic aviation competition will be changed for the worse, creating a situation where Flags of Convenience become the norm, not the exception.

I urge you to reject the NAT application, and thereby uphold the spirit and intent of the U.S.-EU Open Skies Agreement and Article 17 bis. Thank you for your consideration of my views on this vital international aviation policy issue.

Sincerely,

JIM OBERSTAR, M.C.

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#### OUR UNCONSCIONABLE NATIONAL DEBT

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**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 1, 2014*

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$17,447,321,527,551.15. We’ve added \$6,820,444,478,638.07 to our debt in 5 years. This is over \$6.8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

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#### HONORING CARMEN VELASQUEZ OF CHICAGO FOR HER LIFETIME OF SERVICE TO THE UNDERSERVED LATINO COMMUNITY IN CHICAGO

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**HON. RAUL RUIZ**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 1, 2014*

Mr. RUIZ. Mr. Speaker, I would like to recognize a dear friend of mine, Carmen Velasquez of Chicago as she retires from her position of executive director at Alivio Medical Center, for her incredible dedication to the medical community and the underserved Latino community of Chicago.

Carmen devoted her life to the care of others in her community, advocating for health, education, civil rights, and equitable health access for all in Chicago. As founder of the

Alivio Medical Center, a bicultural nonprofit health center and extremely respected advocacy organization, she has dedicated over 25 years to expanding the reach of health care to low-income residents of Chicago. Because of Carmen's determination and perseverance, regardless of income, insurance, or ethnicity, over 20,000 individuals have received the best quality care in the greater Chicago community in over 6 clinics with plans for two new health clinic sites this year.

Coming from a family of hardworking Mexican immigrants, she became a social worker, community organizer, and bilingual education specialist after earning degrees from both Loyola University Chicago and the University of the Americas in Puebla, Mexico. As a member of Chicago's Board of Education, she saw firsthand the disparities in both education and health for Chicago's neglected Latino population. In 1988 Carmen found herself in a muffler shop parking lot, marking the beginning of her campaign to raise \$2.1 million for the construction of her first of many health clinics. One year later, Carmen's passion manifested in the first Alivio Medical Center and she has been serving the otherwise unrepresented and overlooked community since.

Carmen has been recognized on numerous occasions for her renowned work, including recent recognitions at halftime by the Chicago Bears and the National Football League's Hispanic Heritage Leadership Award, the MALDEF Lifetime Achievement Award and the Robert Wood Johnson Foundation Community Health Leadership Award. Illinois Governor Pat Quinn has honored her as the Latino Heritage Month "Trailblazer of the Day."

It is an understatement to say that Carmen Velasquez is a true champion for Chicago's Latino community. Her undying fervor, commitment, and care for giving back to the low-income and at risk groups have had profound effects on the health and wellbeing of Chicago. On behalf of all who have benefited from her initiative and the entire medical community, I'd like to thank and congratulate Carmen for her lifelong dedication to others and wish her well in the years to come.

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PERSONAL EXPLANATION

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**HON. TIM GRIFFIN**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2014

Mr. GRIFFIN of Arkansas. Mr. Speaker, on Wednesday, April 30, 2014, I missed four votes as I was returning home to Arkansas to continue my work in dealing with the aftermath of the devastating storm that hit my district over the weekend, including a scheduled tour of the affected areas in Mayflower and Vilonia with the United States Secretary of Homeland Security, who subsequently postponed his visit.

Had I been present, I would have voted "yea" on rollcall vote No. 184, "no" on rollcall vote No. 185, "no" on rollcall vote No. 186, and "yea" on rollcall vote No. 187, for final passage of H.R. 4486, the Military Construction and Veterans Affairs Appropriations Act.

PERSONAL EXPLANATION

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**HON. TOM MARINO**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2014

Mr. MARINO. Mr. Speaker, on rollcall No. 181, I was unable to be in town for votes due to a personal matter. Had I been present, I would have voted "yea."

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MORTON AND ALYCE SPECTOR

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**HON. LOU BARLETTA**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2014

Mr. BARLETTA. Mr. Speaker, I rise to recognize Morton and Alyce Spector who are being honored at the 2014 Susquehanna Tzedakah Society Dinner for their devotion to bettering the Jewish community of Harrisburg, Pennsylvania.

Mr. and Mrs. Spector have committed their lives to improving the community for their friends and neighbors. Mrs. Spector, a former teacher and executive director of the National Kidney Foundation of Central PA, and Mr. Spector, a founder of D&H Distributors and current co-owner of Design Kitchens and Appliances, have worked with dozens of boards and organizations across the Harrisburg region and are known by all for their "can do" attitude and willingness to lend a hand whenever it's needed. The Spectors credit their parents as their role models, instilling in them the importance of charitable efforts from an early age. Today, they themselves have become role models and are credited with raising hundreds of thousands of dollars for the Jewish community.

Mr. Speaker, tonight as the Harrisburg community honors the Spectors at the 2014 Susquehanna Tzedakah Society Dinner, I join in thanking them for their outstanding commitment to bettering the Jewish community, and I commend them and their families for their hard work and dedication.

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HONORING RICHARD DAVID KANN MELANOMA FOUNDATION

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**HON. LOIS FRANKEL**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2014

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to honor the Richard David Kann Melanoma Foundation of Palm Beach County, Florida. The foundation will recognize Melanoma Awareness Day on May 5, an important opportunity to raise awareness of skin cancer prevention and treatment.

Malignant melanoma is the deadliest form of skin cancer. In fact, one American dies from Melanoma every fifty minutes. In Florida, residents are especially vulnerable to excessive exposure to the ultraviolet radiation of the sun. Unfortunately, our sunny state has the second highest incidence of the cancer in the country.

That is why it is critical that Floridians, and all Americans, take steps to reduce their likelihood of developing melanoma. These include

avoiding peak sunlight hours when the sun's rays are most intense, seeking shade, applying sun block with an SPF of at least 30–50+ every two hours, and wearing protective clothing such as long-sleeved pants and sunglasses.

In honor of the Richard David Kann Melanoma Foundation, I am proud to recognize Melanoma Awareness Day. I would also like to thank them for their tireless work in preventing and detecting skin cancer and wish them the best as they continue this daunting but important endeavor.

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PERSONAL EXPLANATION

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**HON. TIM MURPHY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2014

Mr. MURPHY of Pennsylvania. Mr. Speaker, on rollcall No. 182, I was predisposed at the time.

Had I been present, I would have voted "aye."

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PERSONAL EXPLANATION

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**HON. TOM MARINO**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2014

Mr. MARINO. Mr. Speaker, on rollcall No. 183, I was unable to make votes due to a personal conflict.

Had I been present, I would have voted "aye."

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LUPUS AWARENESS MONTH

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**HON. EDDIE BERNICE JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2014

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of Lupus Awareness Month. Each May, we recognize lupus as the cruel, mysterious autoimmune disease from which an estimated 1.5 million Americans suffer.

Lupus comes in many shapes and sizes and does not discriminate against only one part of the body. The chronic disease can affect nearly any part of the body including the skin, lungs, heart, joints, kidneys, and brain. Lupus is often misdiagnosed several times over several months before an accurate diagnosis can be made. This is because lupus is known as the "great imitator," mimicking many other illnesses and no single test can diagnose a patient.

Treatment for lupus can be very expensive because of its multi-faceted nature. Annually, lupus costs our nation about \$31.4 billion. The annual cost for treatment for an individual with lupus is an estimated \$20,000 and for an individual with lupus nephritis, kidney inflammation caused by lupus, could be as high as \$62,000 per year.

Lupus is far more common in women and in men, particularly among African Americans, Hispanics, Asian Americans, and Native Americans. The cause for lupus' prevalence in minorities is unknown and extensive research is