



March 22, 2023

Mr. Billy Nolen  
Acting Administrator  
Federal Aviation Administration  
800 Independence Avenue, SW  
Washington, DC 20591  
*Via e-mail*

Re: Request for Summer 2023 Waiver at NYC-area Airports and DCA

Dear Acting Administrator Nolen:

United Airlines, Inc. (“United”) has long recognized that system constraints exist at John F. Kennedy International (JFK), LaGuardia (LGA), and, in particular, Newark Liberty International (EWR) Airports (the “NYC-area Airports”) which has been further heightened by the return to normal operations following the COVID -19 pandemic. These constraints also impact operations at Ronald Reagan Washington National Airport (DCA) for flights arriving from and departing to the NYC-area Airports. Although ready and fully capable to operate its full summer 2023 schedule, United recognizes that many of the constraints are attributable to workforce challenges by other aviation stakeholders including the Federal Aviation Administration (FAA). To protect the passenger experience and mitigate disruptions at these airports during the peak summer season (May 15, 2023 through September 15, 2023),<sup>1</sup> it is imperative that aviation stakeholders and the FAA work collaboratively to take proactive measures. We are prepared to do our part, consistent with the understanding that all North American carriers operating at the NYC-area Airports will participate in the voluntary return program proposed for the summer 2023 season. United appreciates the FAA’s proactive attention to this critical issue and efforts to improve the travel experience for our customers transiting through the NYC-area and across our network.

To that end, United requests that the FAA: (1) grant a limited, conditional waiver of the minimum usage requirement that applies to Operating Authorizations (“slots”) at JFK, LGA and DCA<sup>2</sup> and (2) issue a limited policy for prioritizing returned operations at EWR for the summer season. Specifically, we request that the FAA permit United to voluntarily return up to 10

---

<sup>1</sup> The full summer season runs from March 26, 2023 through October 28, 2023.

<sup>2</sup> For DCA, this relief would be available only for flights impacted by operations to or from the NYC-area Airports.

percent of slots held at JFK, LGA, and DCA and approved operating times at EWR for the period from May 15, 2023 through September 15, 2023.

As a condition of United's voluntary return of up to 10 percent of its approved operating times at the NYC-area Airports and DCA, United understands that FAA will ensure that there is no "backfill" of United's (or any other carrier's) temporarily returned slots/movements at the NYC-area Airports or DCA, and that FAA will impose such control measures, including mandatory Reservation IDs, as are necessary to limit and enforce reduced operating limits at EWR notwithstanding its status as a Level 2 airport. United further understands that its voluntary returns are temporary and limited to the summer 2023 season, and that the returns will neither affect historic holdings nor reduce future seasonal prioritizations.

As a condition of obtaining this relief, United agrees to notify the FAA before April 30, 2023, if it wishes to voluntarily return its slots and approved operating times; and return specific slots and approved operating times to the FAA before April 30, 2023. United understands that new slots or approved operating times that were allocated after December 1, 2022, for initial use on or before October 23, 2023, and slot exemptions authorized at DCA by the U.S. Department of Transportation (DOT) or FAA exemptions are not eligible for relief.<sup>3</sup> We further understand that any slot or operating authorization that does not meet the minimum usage requirements is subject to withdrawal.

Should the FAA grant the temporary relief requested, United commits to the following actions for the peak summer season:

- up-gauge flights operating into and out of the NYC-area Airports and DCA to the extent possible to accommodate as many customers as practicable;
- make full utilization of existing slots from DCA to non-NYC-area Airport destinations;
- notify customers affected by changes resulting from the voluntary return of slot/approved operating schedules and make efforts to meet consumer needs by offering comparable flight alternatives (including service on another carrier as needed or refunds if the customer so chooses); and
- develop and publicly communicate a resilience plan that describes measures United will take to mitigate disruptions for customers travelling to or through the NYC-area Airports for foreseeable summer 2023 conditions.

We also commit to working with the FAA and DOT to develop and implement a durable, long-term solution to constraints at the NYC-area Airports. United has long collaborated with FAA, particularly at EWR, where it has voluntarily re-timed flights to smooth peaks at the FAA's

---

<sup>3</sup> We understand that relief would be eligible for slots that were part of routine one-for-one time adjustments done in coordination with the FAA.

Mr. Billy Nolan  
March 22, 2023  
Page 3 of 3

request. United agrees that the NYC-area Airports and airspace merit a comprehensive, holistic analysis to produce a uniform air traffic management system that will promote efficiency, reduce congestion, minimize delay, and enhance customer experience.

We look forward to the FAA's prompt response.

Sincerely,

A handwritten signature in blue ink, appearing to read "Toby Enqvist".

Toby Enqvist  
Executive Vice President and Chief Operating Officer  
United Airlines, Inc.