

# Congress of the United States

Washington, DC 20515

November 6, 2023

The Honorable Pete Buttigieg  
Secretary  
United States Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Dear Secretary Buttigieg:

We are deeply disturbed by reports that the Federal Government is allowing for and encouraging the use of our Nation's airport infrastructure as temporary shelters for illegal immigrants. We adamantly oppose these ill-conceived plans that blatantly ignore the true crisis at hand and would inappropriately utilize America's infrastructure. Our Nation's airport infrastructure was built to facilitate commerce and transportation, not to serve as housing for unvetted and undocumented migrants. We request that you enforce public airport grant assurances and reject such plans.<sup>1</sup>

As you are aware, our Nation's southern border is an uncontrolled and unmitigated disaster. Untold numbers of illegal immigrants cross our borders unchallenged every single day. Over six million illegal immigrants have entered the United States and been apprehended under President Biden's failed leadership.<sup>2</sup> Many are then released into the United States, some of whom will presumably never be seen again.<sup>3</sup> The Biden-Harris Administration's abject failure to protect our border or support policies that will keep America secure is an unconscionable dereliction of the most fundamental duty the Federal Government has to the citizens of this country.

Unsatisfied with the indignity of our unsecure southern border and incapable of dealing with the effect its failed policies have had, turning every state into a border state, this Administration is now reportedly proposing to transform our Nation's airports into migrant

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<sup>1</sup> FEDERAL AVIATION ADMINISTRATION, AIRPORT IMPROVEMENT PROGRAM GRANT ASSURANCES FOR AIRPORT SPONSORS (May 2022), *available at* [https://www.faa.gov/sites/faa.gov/files/airports/new\\_england/airport\\_compliance/assurances-airport-sponsors-2022-05.pdf](https://www.faa.gov/sites/faa.gov/files/airports/new_england/airport_compliance/assurances-airport-sponsors-2022-05.pdf).

<sup>2</sup> See Press Release, HOUSE GOP CONFERENCE, *Actions Speak Louder Than Words*, (Oct. 3, 2023), *available at* <https://www.gop.gov/news/documentsingle.aspx?DocumentID=602>.

<sup>3</sup> Julia Ainsley, *With border crossings up, U.S. begins releasing migrants onto U.S. streets again*, NBC NEWS, (September 15, 2023), *available at* <https://www.nbcnews.com/politics/immigration/border-patrol-releases-migrants-city-streets-arizona-california-rcna105308>.

camps.<sup>4</sup> The Department of Homeland Security (DHS) has proposed housing 60,000 migrants at four public airports and various other facilities in New York and New Jersey.<sup>5</sup> These airports and their communities rightfully fear being transformed into larger versions of Chicago O'Hare International Airport, which has reportedly converted portions of its terminal into a shelter for hundreds of migrants.<sup>6</sup> At a time when the Administration is proposing higher screening requirements on known airline crewmembers due to security risks, we are extremely concerned about the lack of regard for security risks posed by housing thousands of unknown persons at airports, many of which support passenger air service and host sensitive military facilities.<sup>7</sup>

Airports are generally required to request permission from the Federal Aviation Administration (FAA) before using aeronautical land and facilities for nonaeronautical purposes, like the housing of migrants, on an interim basis.<sup>8</sup> These provisions prevent governments, including the Federal Government, from abusing taxpayer investment in aeronautical facilities and commandeering them at below-market rates for nonaeronautical and incompatible purposes. It is your responsibility to direct the FAA to reject any attempt by a Federal, state, or local agency to use airport facilities for such a nonaeronautical and incompatible purpose as housing migrants.

In order to ensure the safety of the flying public, we request that you provide answers to the following questions no later than 5:00pm on November 20, 2023:

1. How many and which airports regulated by the FAA currently host temporary or permanent shelters for illegal immigrants or other persons?
2. Has the FAA received or granted any request from an airport or a local, state, or Federal agency between January 20, 2021, and today to temporarily use aeronautical facilities for purposes of hosting a migrant shelter? If so, which?
3. To what extent has DHS consulted with the FAA about the appropriateness of proposing to house migrants at airports? If DHS has consulted with the FAA, what has been the FAA's response?

Thank you for your prompt attention to this important matter. If you have any questions, please direct your staff to contact T. Hunter Presti, Majority Staff Director, Subcommittee on Aviation, at [Hunter.Presti@mail.house.gov](mailto:Hunter.Presti@mail.house.gov).

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<sup>4</sup> Laura Nahmias, *Biden Offers Airports in Atlantic City, on Canadian Border to House NYC Migrants*, BLOOMBERG, (August 30, 2023), available at <https://www.bloomberg.com/news/articles/2023-08-30/biden-offers-nyc-migrants-11-sites-including-atlantic-city-airport>.

<sup>5</sup> *Id.*

<sup>6</sup> Elizabeth Heckman, *Chicago's O'Hare Airport used as a migrant shelter as crisis overwhelms city: 'Like a scene from Mad Max'*, FOX NEWS, (September 7, 2023), available at <https://www.foxnews.com/media/chicagos-ohare-airport-used-migrant-shelter-crisis-overwhelms-city-like-scene-mad-max>.

<sup>7</sup> TRANSPORTATION SECURITY ADMINISTRATION, NATIONAL AMENDMENT ON AVIATION WORKER SCREENING, TSA Order TSA-NA-23-02.

<sup>8</sup> FEDERAL AVIATION ADMINISTRATION, AIRPORT COMPLIANCE MANUAL, Pg. 22-4, (last accessed Sept. 20, 2022), available at [https://www.faa.gov/documentlibrary/media/order/5190\\_6b.pdf](https://www.faa.gov/documentlibrary/media/order/5190_6b.pdf).

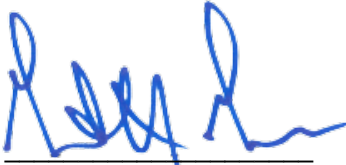
Sincerely,



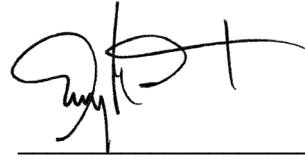
Sam Graves  
Chairman  
Committee on Transportation  
and Infrastructure



Elise M. Stefanik  
Member of Congress



Garret Graves  
Chairman  
Subcommittee on Aviation



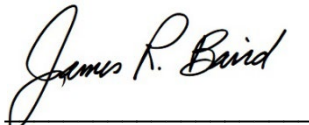
Anthony D'Esposito  
Member of Congress



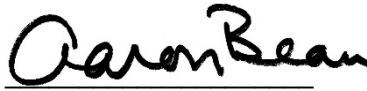
Robert B. Aderholt  
Member of Congress



Mark Alford  
Member of Congress



Jim Baird  
Member of Congress



Aaron Bean  
Member of Congress



Mike Bost  
Member of Congress



Tim Burchett  
Member of Congress



Eric Burlison  
Member of Congress



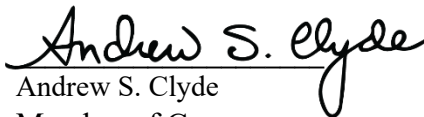
Ken Calvert  
Member of Congress



Kat Cammack  
Member of Congress



Earl L. "Buddy" Carter  
Member of Congress




Andrew S. Clyde  
Member of Congress



Mike Collins  
Member of Congress



Eric A. "Rick" Crawford  
Member of Congress



Byron Donalds  
Member of Congress



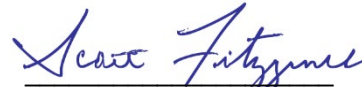
Neal P. Dunn, M.D.  
Member of Congress



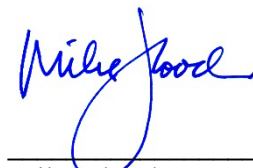
Chuck Edwards  
Member of Congress



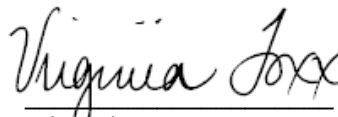
Ron Estes  
Member of Congress



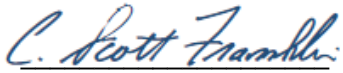
Scott Fitzgerald  
Member of Congress



Mike Flood  
Member of Congress



Virginia Foxx  
Member of Congress



C. Scott Franklin  
Member of Congress



Andrew R. Garbarino  
Member of Congress



Tony Gonzales  
Member of Congress



Jenniffer González-Colón  
Member of Congress



Lance Gooden  
Member of Congress



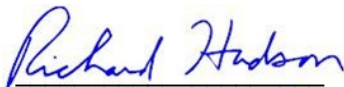
Michael Guest  
Member of Congress



Harriet M. Hageman  
Member of Congress



Erin Houchin  
Member of Congress



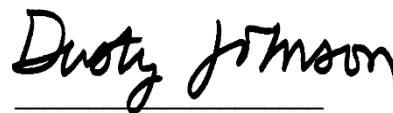
Richard Hudson  
Member of Congress



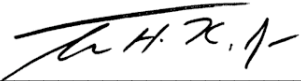
Darrell Issa  
Member of Congress



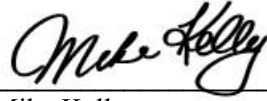
Bill Johnson  
Member of Congress



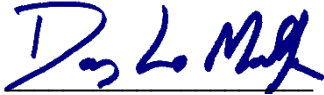
Dusty Johnson  
Member of Congress



Thomas H. Kean, Jr.  
Member of Congress



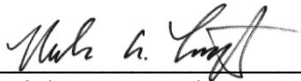
Mike Kelly  
Member of Congress



Doug LaMalfa  
Member of Congress



Doug Lamborn  
Member of Congress



Nick Langworthy  
Member of Congress



Jake LaTurner  
Member of Congress



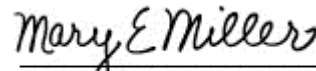
Michael V. Lawler  
Member of Congress



Nicole Malliotakis  
Member of Congress



Tom McClintock  
Member of Congress



Mary E. Miller  
Member of Congress



Marcus J. Molinaro  
Member of Congress



John Moolenaar  
Member of Congress



Troy E. Nehls  
Member of Congress




Burgess Owens  
Member of Congress




Greg Pence  
Member of Congress



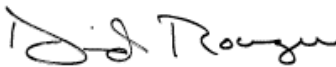
Guy Reschenthaler  
Member of Congress



Harold Rogers  
Member of Congress



John Rose  
Member of Congress



David Rouzer  
Member of Congress



Chip Roy  
Member of Congress



Adrian Smith  
Member of Congress



Christopher H. Smith  
Member of Congress




Pete Stauber  
Member of Congress



Glenn "GT" Thompson  
Member of Congress



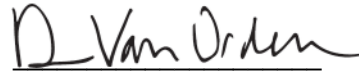
David G. Valadao  
Member of Congress



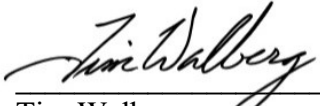
Jeff Van Drew  
Member of Congress



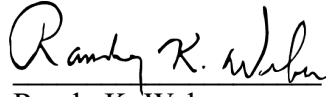
Beth Van Duyne  
Member of Congress



Derrick Van Orden  
Member of Congress



Tim Walberg  
Member of Congress



Randy K. Weber  
Member of Congress



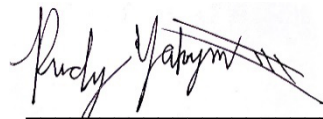
Daniel Webster  
Member of Congress



Bruce Westerman  
Member of Congress



Brandon Williams  
Member of Congress



Rudy Yakym III  
Member of Congress

cc: The Honorable Rick Larsen, Ranking Member  
Committee on Transportation and Infrastructure

The Honorable Polly Trottenberg  
Acting Administrator, Federal Aviation Administration