



**U.S. Immigration
and Customs
Enforcement**

August 27, 2019

Maverick Douglas
Director (Acting)
NW Mountain Airports Division
Federal Aviation Administration
2200 S 216th St.
Des Moines, WA 98198
Via email: Maverick.Douglas@faa.gov

Dear Mr. Douglas:

This letter is submitted to the Federal Aviation Administration (FAA) as an informal complaint pursuant to 14 CFR Section 13 alleging that the King County Executive, owner and operator of King County International Airport (the Airport), a publicly owned and federally funded airfield located in Seattle, Washington is not operating the airport in a manner consistent with the applicable federal obligations.

As background, U.S. Department of Homeland Security, Immigration and Customs Enforcement (ICE) utilized the Airport for weekly flights coming into and out of the Airport for purposes of transporting detainees to and from the Northwest Detention Center in Tacoma for immigration enforcement related purposes. On April 23, 2019, the King County Executive issued an executive order (see attached Exhibit 1) relating to the Airport purporting to require the Airport to restrict or prevent licensed air carriers from providing specified air transportation services to the United States. A central provision of the Order appears to direct the Airport to take actions that would prohibit air carriers and other entities from "providing aeronautical or non-aeronautical services to enterprises engaged in the business of deporting immigration detainees." During a press conference held on April 23, 2019, King County confirmed that it intended to do precisely that by amending or terminating leases held by Fixed Base Operators (FBOs) who provide services to ICE Air flights within King County.

On May 1, 2019, Clay Lacy Aviation, the fixed business operator (FBO) who serviced ICE flights at the Airport notified ICE that it would no longer do business with ICE, nor would any of the other FBOs at the airport, effectively precluding ICE's use of the Airport.

ICE made efforts to secure an alternate site for ICE Air flights at Paine Field in Everett, WA, however, on May 2, 2019, Castle & Cooke Aviation, an FBO at Paine Field, notified ICE that they also would not agree to service ICE flights. All other FBOs at Paine Field also refused to do business with ICE. No written reason was given for this refusal. Both conversations are documented in the attached Exhibit 3—a letter dated July 12, 2019 from Classic Air Charter, the ICE contractor that operates ICE Air Flights.

On May 1, 2019, the U.S. Department of Transportation General Counsel, Steven Bradbury, sent a letter to King County (see attached Exhibit 2) requesting that the County Executive revisit the Order to ensure compliance with Federal Law, but to date, ICE is unaware of any response from the County nor any changes at the Airport.

As the Airport in question here is a publicly owned and federally funded airport, ICE requests an investigation into the Airport's noncompliance with their applicable federal obligations. If any additional information is needed, please do not hesitate to contact Bryan S. Wilcox, Deputy Field Office Director, ICE Enforcement & Removal Operations, Seattle, WA, at 206-835-0042 or 206-786-5147.

Sincerely,



Nathalie R. Asher
Field Officer Director,
ICE Enforcement & Removal Operations
Seattle, WA