



Airlines for America®

We Connect the World

June 26, 2026

Economic Regulation Team
Civil Aviation Authority
Aviation House
Beehive Ring Road
Crawley
RH6 0YR

[By email: economicregulation@caa.co.uk]

Re: [CAP3250 Review of the Traffic Distribution Rules 1991: Consultation on Draft Advice to the Secretary of State](#)

Dear Economic Regulation Team,

On behalf of its members, Airlines for America (A4A) appreciates the opportunity to respond to the Civil Aviation Authority's (CAA) consultation on its draft advice to the Secretary of State regarding the Traffic Distribution Rules 1991 (TDRs).¹ A4A is the industry trade organization for the leading U.S. airlines, both passenger and cargo. Our members operate extensive passenger and cargo services between the U.S. and UK and have a direct interest in ensuring that the UK aviation market remains open, competitive and governed by transparent, non-discriminatory regulatory frameworks.

A4A supports the CAA's draft recommendation that the Secretary of State revoke the TDRs. The CAA's review correctly recognizes that the TDRs were developed in a fundamentally different regulatory and market environment and that they no longer represent an effective or proportionate mechanism for managing airport capacity. The CAA's analysis also demonstrates that the TDRs are not only outdated, but also unnecessary within the modern slot allocation framework and distort the efficient allocation of scarce airport capacity, particularly with respect to whole-plane cargo operations. Since the TDRs were introduced, the UK has developed a comprehensive system of airport slot allocation based on independent coordination, airport capacity declarations and secondary slot transactions. These mechanisms provide a more appropriate means of allocating scarce airport capacity than regulatory restrictions that exclude particular categories of operators from participation.

A4A strongly supports regulatory frameworks that are aligned with globally accepted standards. The Worldwide Airport Slot Guidelines (WASG) serve as the internationally recognized framework for allocating scarce airport capacity in a neutral, transparent, and non-discriminatory manner. The continued application of TDRs is fundamentally inconsistent with the UK Slot Regulations and the WASG, as it imposes categorical restrictions that override the neutral, transparent and non-discriminatory allocation of slots by the independent coordinator. As the CAA notes, the independent slot coordinator commented that the TDRs materially constrain

¹ Members of the association are Alaska Air Group, Inc.; American Airlines Group, Inc.; Atlas Air, Inc.; Delta Air Lines, Inc.; Federal Express Corporation; JetBlue Airways Corp.; Southwest Airlines Co.; United Continental Holdings, Inc.; and United Parcel Service Co. Air Canada is an associate member.

their role by excluding all-cargo operators from initial slot allocation, limiting them to ad hoc access, and effectively overriding the neutral allocation framework established under the non-discriminatory Slot Regulations, and excluding entire categories of operators from initial slot allocation. This represents a departure from internationally recognized principles of independent, non-discriminatory slot allocation and further underscores the lack of coherence between the TDRs and the modern regulatory framework. Essentially, the TRDs restrict access to capacity based on operator type rather than allowing slots to be allocated through the established coordination process.

A4A agrees with the CAA's assessment that the TDRs discriminate primarily against all-cargo operators and, in practice, function as a near-total prohibition on their ability to operate at Heathrow and Gatwick during most of the operational day. Given that peak congestion periods account for up to 94% at these airports, the TDRs amount to a structural exclusion from meaningful access to the market, rather than a targeted congestion-management tool. This exclusion is especially harmful given the time-critical nature of all-cargo operations, which depend on precise overnight, early morning, and late evening time windows to support express logistics and global supply chains. Restricting access to these windows undermines reliability, network integrity and the ability to provide time-definite services, effects that cannot be replicated through limited ad hoc slot availability.

All-cargo operators play a vital role within the broader aviation ecosystem, supporting global trade, supply chain resilience, and economic growth. The CAA correctly identifies that the TDRs prevent capacity from being allocated to its highest-value use. It is important that regulators recognize that passenger operations and all-cargo operations both represent high-value use of constrained capacity. Their competition with each other, and their commercial relationships with each other, drive network efficiency and create value for UK consumers. By denying all-cargo operators from obtaining historic slot rights, the TDRs also dampen investment in cargo operations to/from the UK, including network development and fleet deployment. All-cargo carriers should be afforded the opportunity to participate in the slot allocation process on a level playing field. In fact, and this is the very *raison d'être* of the WASG, all operators should be eligible to obtain and retain historic slots under the same rules and criteria on an equal basis, as guaranteed to them under Article 11 of the U.S.-UK Air Transport Agreement.

A4A also agrees with the CAA's conclusion that the existing slot allocation framework is sufficient to ensure that airport capacity is used efficiently, where properly implemented. Independent slot coordination, airport capacity declarations and secondary slot transactions already provide established mechanisms for allocating airport capacity and allowing airports and airlines to respond to changing market conditions and consumer demand. These mechanisms are better suited to ensuring the highest-value use of scarce airport capacity than restrictions that categorically exclude certain types of operators. The CAA also highlights that airports retain the ability to use pricing and charging mechanisms to reflect differences in infrastructure use and opportunity cost, subject to applicable regulatory constraints. This further demonstrates that there are proportionate, market-based tools available to manage capacity efficiently without excluding entire categories of operators. It should be noted though that revocation of the TDRs should not result in a shift from regulatory exclusion to economic exclusion. Ensuring that all operators can compete for airport capacity on equal terms requires that pricing structures do not reintroduce discrimination through indirect means, even if such structures are formally justified under domestic regulatory frameworks.

The CAA's analysis demonstrates that revocation of the TDRs would not result in a material or disruptive change in airport usage patterns in the short- to medium-term, given the binding

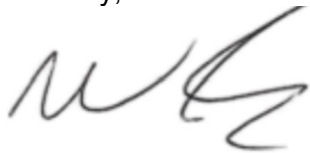
constraint imposed by slot scarcity. These findings highlight that the TDRs are not necessary to manage congestion or protect efficient capacity utilization but instead operate as a redundant and distortive regulatory overlay that restricts competition and efficient outcomes at the margin. Assertions that all-cargo operators can rely on alternative airports do not reflect operational realities. As the CAA recognizes, substitutability between airports is limited, particularly for integrator and express operators with time-sensitive business models. Heathrow offers unique connectivity advantages, including co-location with passenger carriers that enable belly hold cargo networks for integrators, freight forwarders and logistics infrastructure, which cannot be replicated at more distant airports. Continuing to limit all-cargo carrier access to airports more distant from London increases reliance on road feeder services, raising costs, increasing congestion and reducing service reliability. Heathrow and Gatwick will remain highly constrained airports, and any operator seeking access will still need to obtain slots through the established allocation process. Whatever the immediate impact, revocation of TDR's would therefore remove an unnecessary and discriminatory regulatory restriction.

A4A also supports the CAA's view that revocation would simplify the regulatory framework governing airport access and align the UK with internationally recognized principles and practices. A more streamlined and consistent framework would benefit airports, airlines, cargo operators, passengers, and consumers alike. A4A does not support a phased-in approach to revocation of the TDRs because any phase-in increases complexity in the system. Instead, selection of a date certain for revocation of the TDRs and elimination of any local rules at Heathrow and Gatwick that are underpinned by the TDRs will best serve the industry and UK importers, exporters, and consumers. A4A further encourages the CAA to actively monitor the operation of local rules and coordination processes following TDR revocation, to ensure that outcomes remain aligned with the UK's commitment to non-discriminatory access and internationally recognized slot allocation principles.

A4A welcomes the CAA's review and supports its draft advice that the TDRs should be revoked. Revocation would better align the UK framework with the WASG, eliminate unjustified discrimination against all-cargo operators, restore the role of the independent slot coordinator and help ensure that scarce airport capacity continues to be allocated on an equal basis through a transparent basis and remove a redundant regulatory constraint that no longer contributes to congestion management, while supporting competition, investment, and the efficient functioning of global cargo networks.

A4A appreciates the opportunity to provide comments and looks forward to continued engagement with the CAA as this review progresses.

Sincerely,

A handwritten signature in dark ink, appearing to read 'MS', is positioned above the printed name and title.

Marco Sylvester
Senior Vice President, International Affairs