



The House Committee on
Transportation & Infrastructure

Ranking Member Rick Larsen

FACT SHEET

H.R. _____

“Ensuring Airline Resiliency to Reduce Delays and Cancellations Act”

Introduced by

**T&I Committee Ranking Member Rick Larsen (D-WA)
and Aviation Subcommittee Ranking Member Steve Cohen (D-TN)**

July 24, 2024

BACKGROUND

Mass flight cancellations and delays have become a growing problem in recent years. Most recently, families and travelers were unexpectedly stranded at airports across the country as the result of the CrowdStrike global technology outage. While the consequences of this technology outage were felt across multiple industries and the entire U.S. aviation system, it quickly became clear the resulting flight disruptions disproportionately impacted certain airline customers. According to reports, on Friday, July 19th alone, Delta Air Lines cancelled 1,200 flights, compared to the 649 flights cancelled by United Airlines, 408 flights by American Airlines, and 234 flights by Spirit Airlines on that same day. Unfortunately, this is not the first example of insufficient customer response and airlines’ operational failure that we’ve seen. In December 2022, Southwest Airlines cancelled more than 16,000 flights over the holiday season and in October 2021, Southwest cancelled over 2,000 flights over a four-day period.

These flight cancellations and delays can have a devastating impact on airline passengers. The abrupt nature of these flight disruptions often leave passengers justifiably frustrated, with many experiencing exorbitant customer service wait times, lost baggage, inefficient alternative travel options, unanticipated hotel and meal costs, and missed important family occasions. Furthermore, airline pilots and flight attendants are also caught in the wake of airlines’ operational challenges.

As a result of the *FAA Reauthorization Act of 2024*, any passengers experiencing these kinds of extreme flight delays or cancellations are entitled to be made whole. Specifically, it codified requirements for airlines to refund passengers when their nonrefundable flight is disrupted and establish policies regarding the reimbursement for lodging, related transportation, and meal costs incurred due to a flight disruption. Although the U.S. Department of

Transportation is working to implement these provisions expanding protections for airline passengers, clearly much more needs to be done.

LEGISLATION

The *Ensuring Airline Resiliency to Reduce Delays and Cancellations Act* directs the Secretary of Transportation to require, not later than one year after passage, covered air carriers to develop and regularly update an operational resiliency strategy to prevent or limit the impact of future flight disruptions on passengers. In such an operational resiliency strategy, the air carrier must detail how it plans to:

- Prevent the impact of severe weather and other reasonably anticipated disruptive events (e.g., information technology (IT) system failures);
- Anticipate how such events would impact flight crew staffing and workforce models, and IT systems;
- Mitigate any other anticipated events identified by the air carrier; and
- Address cybersecurity risks and IT system deficiencies and vulnerabilities.

The bill also calls for the Government Accountability Office (GAO) to initiate an audit of the effectiveness of these plans no later than three years after the bill's passage and submit a report to Congress no later than one year after completion of the audit.