

# United States Senate

June 28, 2022

Peter Ingram  
President and Chief Executive Officer  
Hawaiian Airlines  
3375 Koapaka Street, G-350  
Honolulu, HI 96819

Dear Mr. Ingram,

In anticipation of a busy summer travel season, we write to request Hawaiian Airlines take immediate action to mitigate the flight cancellations and delays that have affected thousands of travelers' holiday and vacation plans over the past six weeks. While the airline industry has blamed these disruptions on unexpected weather and air traffic control issues, the data suggests that the airlines themselves are at fault for many flight delays and cancellations. As the July 4<sup>th</sup> holiday approaches, the reliability of the air travel system should not be up in the air. We strongly urge you to prioritize the interests of your passengers and address flight schedule issues now and throughout the summer.

The Memorial Day and Juneteenth weekends were plagued by vast cancellations and delays, leaving consumers increasingly frustrated with the airlines and uncertain about their ability to travel. Over Memorial Day weekend, airlines cancelled nearly 2,800 flights and delayed another 21,000 flights.<sup>1</sup> In response, some airlines proactively reduced their flight schedule, but these efforts have proven insufficient. The Father's Day and Juneteenth holiday weekend was even worse for travelers, with nearly 3,700 flights cancelled and more than 26,000 delayed.<sup>2</sup> These two mismanaged travel periods have burdened travelers and created increased concerns about whether the industry is prepared to handle the busy summer travel season.

Data indicates that the problem lies with the airlines. According to the Bureau of Transportation Statistics (BTS), airlines have cancelled roughly 3.5 percent of flights in the first three months of 2022, the highest figure since 2014 — excluding mass cancellations in 2020 from the COVID-19 pandemic.<sup>3</sup> Nearly 20 percent of flights have been delayed this year, also the highest figure since 2014.<sup>4</sup> Moreover, although BTS has only released data through April 2022, the trend line is concerning. Cancellations have fallen since January, but delays have risen

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significantly, and April delays were far above pre-COVID levels.<sup>5</sup> Commercial data also suggests that delays have grown worse since April.<sup>6</sup>

Airlines cannot continue to blame these figures on bad weather and air traffic control. According to BTS data, only about one-fifth of the delayed flights were due to poor weather.<sup>7</sup> By contrast, before the pandemic, only one-third of delayed flights were delayed for weather-related reasons.<sup>8</sup> In other words, the weather is causing a *smaller share* of flight delays today than before COVID. Instead, roughly 40 percent of the delays this year were apparently due to circumstances within the airlines' control, the highest figure in over a decade.<sup>9</sup> Weather and air traffic control have always caused travel disruptions, but the data provides no evidence to suggest that they are causing *more* disruptions today.

Airlines have also argued that staff shortages — specifically pilot shortages — are another major cause of the recent flight disruption. We are skeptical of these claims. But even accepting the airlines' argument, a pilot shortage is no excuse for cancellations and delays. Airlines should have significant notice that they lack the crew to meet a certain flight schedule and, therefore, any shortages should not result in last-minute flight cancellations. In fact, many airlines have done just that and cut their summer schedule,<sup>10</sup> although the airlines' methods for determining those cuts remain unclear. Such cancellations still significantly disrupt consumers' travel plans and, even with these adjusted schedules, thousands of flights were *again* cancelled and delayed over Juneteenth weekend. The supposed shortage of pilots or other crew is no excuse for these flight disruptions.

Flight Disruptions in First Four Months		
	Delayed	Cancelled
2022	19.97%	3.56%
2021	10.88%	1.91%
2020	10.72%	11.77%
2019	18.61%	2.50%
2018	17.30%	2.16%
2017	18.86%	1.71%
2016	15.56%	1.51%
2015	19.53%	2.54%
2014	21.99%	3.70%
2013	18.61%	1.80%
2012	14.16%	1.12%
<b>Average 2012-2019</b>	<b>18.07%</b>	<b>2.14%</b>

<sup>5</sup> According to BTS data, 21.8 percent of flights were delayed in April, up from 18.1 percent in January. By contrast, 17.4 percent of flights were delayed, on average, in April between 2012 and 2019. These figures were calculated using data from BTS's website that the agency collects through its Airline Service Quality Performance System. To download the raw data, see *Airline On-Time Statistics and Delay Causes*, BUREAU OF TRANSPORTATION STATISTICS, [https://www.transtats.bts.gov/OT\\_Delay/OT\\_DelayCause1.asp](https://www.transtats.bts.gov/OT_Delay/OT_DelayCause1.asp).

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Flight cancellations and significant delays have real-world consequences for the travelers who may miss vacations, sacrifice time with loved ones, or incur significant financial costs. If an airline cancels a flight for any reason, the airline must promptly provide passengers refunds, as required by the law.<sup>11</sup> During the COVID pandemic, however, the U.S. Department of Transportation (DOT) reported that airlines had difficulty processing requests and were at times reluctant to provide the required refunds.<sup>12</sup> Consumer complaints around both flight disruptions and refunds have since skyrocketed: DOT received 7,325 complaints about refunds in the first four months of 2022,<sup>13</sup> a 1,901 percent increase over the same period in 2019.<sup>14</sup> Airlines have now had more than two years to prepare for the return of air travelers and should be ready to receive and promptly process consumers' requests.

As Department of Transportation Secretary Pete Buttigieg recently made clear,<sup>15</sup> the July 4<sup>th</sup> holiday is an important test for the airline industry. After the mass flight cancellations over both Memorial Day and Juneteenth weekends, we — and many passengers — are concerned that another round of flight delays and cancellations awaits. In light of these concerns, we ask you to respond to the following questions by July 19, 2022 and no earlier than July 6, 2022:

1. Please provide the number of flight segments delayed and cancelled and the reasons for each delay and cancellation using the categories established by the Bureau of Transportation Statistics (i.e., air carrier, extreme weather, National Aviation System, security, or late arriving aircraft) for the following days:
  - a. May 27-30 (Memorial Day Weekend)
  - b. June 17-20 (Juneteenth Weekend)
  - c. June 30 - July 5 (July 4<sup>th</sup> Weekend)

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<sup>11</sup> 76 Fed. Reg. 23110, 23129 (Apr. 11, 2011).

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2. Please provide your company's definition of "significant delay" under which your airline is required to provide a refund to passengers when it cancels a flight.
3. For any flights cancelled or significantly delayed on the abovementioned weekends, please provide the following information:
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  - c. How many consumers were rebooked on a different flight?
  - d. How many consumers have neither sought a refund nor were rebooked on a different flight?
4. Have you preemptively cancelled any flights ahead of the summer travel season?
  - a. If so, how many flights have you cancelled?
  - b. If so, how does your company determine which flights are cancelled preemptively?
  - c. If so, please explain the notice and compensation given to consumers who had already booked those flights.
  - d. If those cancellations included cessation of service to an airport, what steps does your company take to ensure that the community is still adequately accessible?
  - e. If not, why not?

Thank you for your prompt consideration of this matter.

Sincerely,



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Edward J. Markey  
United States Senator



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Richard Blumenthal  
United States Senator

# United States Senate

June 28, 2022

Robin Hayes  
Chief Executive Officer  
JetBlue Airways  
27-01 Queens Plaza North  
Long Island City, NY 11101

Dear Mr. Hayes:

In anticipation of a busy summer travel season, we write to request JetBlue Airways take immediate action to mitigate the flight cancellations and delays that have affected thousands of travelers' holiday and vacation plans over the past six weeks. While the airline industry has blamed these disruptions on unexpected weather and air traffic control issues, the data suggests that the airlines themselves are at fault for many flight delays and cancellations. As the July 4<sup>th</sup> holiday approaches, the reliability of the air travel system should not be up in the air. We strongly urge you to prioritize the interests of your passengers and address flight schedule issues now and throughout the summer.

The Memorial Day and Juneteenth weekends were plagued by vast cancellations and delays, leaving consumers increasingly frustrated with the airlines and uncertain about their ability to travel. Over Memorial Day weekend, airlines cancelled nearly 2,800 flights and delayed another 21,000 flights.<sup>1</sup> In response, some airlines proactively reduced their flight schedule, but these efforts have proven insufficient. The Father's Day and Juneteenth holiday weekend was even worse for travelers, with nearly 3,700 flights cancelled and more than 26,000 delayed.<sup>2</sup> These two mismanaged travel periods have burdened travelers and created increased concerns about whether the industry is prepared to handle the busy summer travel season.

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significantly, and April delays were far above pre-COVID levels.<sup>5</sup> Commercial data also suggests that delays have grown worse since April.<sup>6</sup>

Airlines cannot continue to blame these figures on bad weather and air traffic control. According to BTS data, only about one-fifth of the delayed flights were due to poor weather.<sup>7</sup> By contrast, before the pandemic, only one-third of delayed flights were delayed for weather-related reasons.<sup>8</sup> In other words, the weather is causing a *smaller share* of flight delays today than before COVID. Instead, roughly 40 percent of the delays this year were apparently due to circumstances within the airlines' control, the highest figure in over a decade.<sup>9</sup> Weather and air traffic control have always caused travel disruptions, but the data provides no evidence to suggest that they are causing *more* disruptions today.

Airlines have also argued that staff shortages — specifically pilot shortages — are another major cause of the recent flight disruption. We are skeptical of these claims. But even accepting the airlines' argument, a pilot shortage is no excuse for cancellations and delays. Airlines should have significant notice that they lack the crew to meet a certain flight schedule and, therefore, any shortages should not result in last-minute flight cancellations. In fact, many airlines have done just that and cut their summer schedule,<sup>10</sup> although the airlines' methods for determining those cuts remain unclear. Such cancellations still significantly disrupt consumers' travel plans and, even with these adjusted schedules, thousands of flights were *again* cancelled and delayed over Juneteenth weekend. The supposed shortage of pilots or other crew is no excuse for these flight disruptions.

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Thank you for your prompt consideration of this matter.

Sincerely,



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Edward J. Markey  
United States Senator



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Richard Blumenthal  
United States Senator



# United States Senate

June 28, 2022

Robert E. Jordan  
Chief Executive Officer  
Southwest Airlines  
2702 Love Field Drive  
Dallas, TX 75235

Dear Mr. Jordan:

In anticipation of a busy summer travel season, we write to request Southwest Airlines take immediate action to mitigate the flight cancellations and delays that have affected thousands of travelers' holiday and vacation plans over the past six weeks. While the airline industry has blamed these disruptions on unexpected weather and air traffic control issues, the data suggests that the airlines themselves are at fault for many flight delays and cancellations. As the July 4<sup>th</sup> holiday approaches, the reliability of the air travel system should not be up in the air. We strongly urge you to prioritize the interests of your passengers and address flight schedule issues now and throughout the summer.

The Memorial Day and Juneteenth weekends were plagued by vast cancellations and delays, leaving consumers increasingly frustrated with the airlines and uncertain about their ability to travel. Over Memorial Day weekend, airlines cancelled nearly 2,800 flights and delayed another 21,000 flights.<sup>1</sup> In response, some airlines proactively reduced their flight schedule, but these efforts have proven insufficient. The Father's Day and Juneteenth holiday weekend was even worse for travelers, with nearly 3,700 flights cancelled and more than 26,000 delayed.<sup>2</sup> These two mismanaged travel periods have burdened travelers and created increased concerns about whether the industry is prepared to handle the busy summer travel season.

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<sup>12</sup> See U.S. DEPT. OF TRANSPORTATION, REPORT TO THE WHITE HOUSE COMPETITION COUNCIL: U.S. DEPARTMENT OF TRANSPORTATION'S INVESTIGATORY, ENFORCEMENT AND OTHER ACTIVITIES ADDRESSING LACK OF TIMELY AIRLINE TICKET REFUNDS ASSOCIATED WITH THE COVID-19 PANDEMIC (Sept. 9, 2021), <https://www.transportation.gov/sites/dot.gov/files/2021-09/DOT%20Report%20on%20Airline%20Ticket%20Refunds.pdf>.

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2. Please provide your company's definition of "significant delay" under which your airline is required to provide a refund to passengers when it cancels a flight.
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  - c. How many consumers were rebooked on a different flight?
  - d. How many consumers have neither sought a refund nor were rebooked on a different flight?
4. Have you preemptively cancelled any flights ahead of the summer travel season?
  - a. If so, how many flights have you cancelled?
  - b. If so, how does your company determine which flights are cancelled preemptively?
  - c. If so, please explain the notice and compensation given to consumers who had already booked those flights.
  - d. If those cancellations included cessation of service to an airport, what steps does your company take to ensure that the community is still adequately accessible?
  - e. If not, why not?

Thank you for your prompt consideration of this matter.

Sincerely,



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Edward J. Markey  
United States Senator



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Richard Blumenthal  
United States Senator

# United States Senate

June 28, 2022

Edward M. Christie III  
President and Chief Executive Officer  
Spirit Airlines  
2800 Executive Way  
Miramar, FL 33025

Dear Mr. Christie:

In anticipation of a busy summer travel season, we write to request Spirit Airlines take immediate action to mitigate the flight cancellations and delays that have affected thousands of travelers' holiday and vacation plans over the past six weeks. While the airline industry has blamed these disruptions on unexpected weather and air traffic control issues, the data suggests that the airlines themselves are at fault for many flight delays and cancellations. As the July 4<sup>th</sup> holiday approaches, the reliability of the air travel system should not be up in the air. We strongly urge you to prioritize the interests of your passengers and address flight schedule issues now and throughout the summer.

The Memorial Day and Juneteenth weekends were plagued by vast cancellations and delays, leaving consumers increasingly frustrated with the airlines and uncertain about their ability to travel. Over Memorial Day weekend, airlines cancelled nearly 2,800 flights and delayed another 21,000 flights.<sup>1</sup> In response, some airlines proactively reduced their flight schedule, but these efforts have proven insufficient. The Father's Day and Juneteenth holiday weekend was even worse for travelers, with nearly 3,700 flights cancelled and more than 26,000 delayed.<sup>2</sup> These two mismanaged travel periods have burdened travelers and created increased concerns about whether the industry is prepared to handle the busy summer travel season.

Data indicates that the problem lies with the airlines. According to the Bureau of Transportation Statistics (BTS), airlines have cancelled roughly 3.5 percent of flights in the first three months of 2022, the highest figure since 2014 — excluding mass cancellations in 2020 from the COVID-19 pandemic.<sup>3</sup> Nearly 20 percent of flights have been delayed this year, also the highest figure since 2014.<sup>4</sup> Moreover, although BTS has only released data through April 2022, the trend line is concerning. Cancellations have fallen since January, but delays have risen

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<sup>1</sup> *US Domestic and International Delays and Cancellations Report*, FLIGHTAWARE, <https://public.tableau.com/app/profile/flightaware/viz/AirlineCancellationDelayUpdate/USAirlineCancellationsDelays> (accessed June 24, 2022) [hereinafter FLIGHTAWARE DATABASE].

<sup>2</sup> *Id.*

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<sup>4</sup> *Id.*

significantly, and April delays were far above pre-COVID levels.<sup>5</sup> Commercial data also suggests that delays have grown worse since April.<sup>6</sup>

Airlines cannot continue to blame these figures on bad weather and air traffic control. According to BTS data, only about one-fifth of the delayed flights were due to poor weather.<sup>7</sup> By contrast, before the pandemic, only one-third of delayed flights were delayed for weather-related reasons.<sup>8</sup> In other words, the weather is causing a *smaller share* of flight delays today than before COVID. Instead, roughly 40 percent of the delays this year were apparently due to circumstances within the airlines' control, the highest figure in over a decade.<sup>9</sup> Weather and air traffic control have always caused travel disruptions, but the data provides no evidence to suggest that they are causing *more* disruptions today.

Airlines have also argued that staff shortages — specifically pilot shortages — are another major cause of the recent flight disruption. We are skeptical of these claims. But even accepting the airlines' argument, a pilot shortage is no excuse for cancellations and delays. Airlines should have significant notice that they lack the crew to meet a certain flight schedule and, therefore, any shortages should not result in last-minute flight cancellations. In fact, many airlines have done just that and cut their summer schedule,<sup>10</sup> although the airlines' methods for determining those cuts remain unclear. Such cancellations still significantly disrupt consumers' travel plans and, even with these adjusted schedules, thousands of flights were *again* cancelled and delayed over Juneteenth weekend. The supposed shortage of pilots or other crew is no excuse for these flight disruptions.

Flight Disruptions in First Four Months		
	Delayed	Cancelled
2022	19.97%	3.56%
2021	10.88%	1.91%
2020	10.72%	11.77%
2019	18.61%	2.50%
2018	17.30%	2.16%
2017	18.86%	1.71%
2016	15.56%	1.51%
2015	19.53%	2.54%
2014	21.99%	3.70%
2013	18.61%	1.80%
2012	14.16%	1.12%
<b>Average 2012-2019</b>	<b>18.07%</b>	<b>2.14%</b>

<sup>5</sup> According to BTS data, 21.8 percent of flights were delayed in April, up from 18.1 percent in January. By contrast, 17.4 percent of flights were delayed, on average, in April between 2012 and 2019. These figures were calculated using data from BTS's website that the agency collects through its Airline Service Quality Performance System. To download the raw data, see *Airline On-Time Statistics and Delay Causes*, BUREAU OF TRANSPORTATION STATISTICS, [https://www.transtats.bts.gov/OT\\_Delay/OT\\_DelayCause1.asp](https://www.transtats.bts.gov/OT_Delay/OT_DelayCause1.asp).

<sup>6</sup> See FLIGHTAWARE DATABASE, *supra* note 1 (showing the percentage of flights delayed rising in May and June).

<sup>7</sup> *Airline On-Time Statistics and Delay Causes: Weather's Share of Delayed Flights*, BUREAU OF TRANSPORTATION STATISTICS, [https://www.transtats.bts.gov/ot\\_delay/OT\\_DelayCause1.asp?20=E](https://www.transtats.bts.gov/ot_delay/OT_DelayCause1.asp?20=E) (accessed June 24, 2022).

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<sup>10</sup> See, e.g., Rob Wile, *Airlines cancel hundreds of flights before summer travel season because of pilot shortage*, NBC NEWS (June 8, 2022), <https://www.nbcnews.com/business/business-news/airlines-pilot-shortage-flight-cancellations-summer-travel-rcna32613>.



Flight cancellations and significant delays have real-world consequences for the travelers who may miss vacations, sacrifice time with loved ones, or incur significant financial costs. If an airline cancels a flight for any reason, the airline must promptly provide passengers refunds, as required by the law.<sup>11</sup> During the COVID pandemic, however, the U.S. Department of Transportation (DOT) reported that airlines had difficulty processing requests and were at times reluctant to provide the required refunds.<sup>12</sup> Consumer complaints around both flight disruptions and refunds have since skyrocketed: DOT received 7,325 complaints about refunds in the first four months of 2022,<sup>13</sup> a 1,901 percent increase over the same period in 2019.<sup>14</sup> Airlines have now had more than two years to prepare for the return of air travelers and should be ready to receive and promptly process consumers' requests.

As Department of Transportation Secretary Pete Buttigieg recently made clear,<sup>15</sup> the July 4<sup>th</sup> holiday is an important test for the airline industry. After the mass flight cancellations over both Memorial Day and Juneteenth weekends, we — and many passengers — are concerned that another round of flight delays and cancellations awaits. In light of these concerns, we ask you to respond to the following questions by July 19, 2022 and no earlier than July 6, 2022:

1. Please provide the number of flight segments delayed and cancelled and the reasons for each delay and cancellation using the categories established by the Bureau of Transportation Statistics (i.e., air carrier, extreme weather, National Aviation System, security, or late arriving aircraft) for the following days:
  - a. May 27-30 (Memorial Day Weekend)
  - b. June 17-20 (Juneteenth Weekend)
  - c. June 30 - July 5 (July 4<sup>th</sup> Weekend)

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Thank you for your prompt consideration of this matter.

Sincerely,



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Edward J. Markey  
United States Senator



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Richard Blumenthal  
United States Senator

# United States Senate

June 28, 2022

Scott Kirby  
Chief Executive Officer  
United Airlines  
233 S. Wacker Drive  
Chicago, IL 60606

Dear Mr. Kirby:

In anticipation of a busy summer travel season, we write to request United Airlines take immediate action to mitigate the flight cancellations and delays that have affected thousands of travelers' holiday and vacation plans over the past six weeks. While the airline industry has blamed these disruptions on unexpected weather and air traffic control issues, the data suggests that the airlines themselves are at fault for many flight delays and cancellations. As the July 4<sup>th</sup> holiday approaches, the reliability of the air travel system should not be up in the air. We strongly urge you to prioritize the interests of your passengers and address flight schedule issues now and throughout the summer.

The Memorial Day and Juneteenth weekends were plagued by vast cancellations and delays, leaving consumers increasingly frustrated with the airlines and uncertain about their ability to travel. Over Memorial Day weekend, airlines cancelled nearly 2,800 flights and delayed another 21,000 flights.<sup>1</sup> In response, some airlines proactively reduced their flight schedule, but these efforts have proven insufficient. The Father's Day and Juneteenth holiday weekend was even worse for travelers, with nearly 3,700 flights cancelled and more than 26,000 delayed.<sup>2</sup> These two mismanaged travel periods have burdened travelers and created increased concerns about whether the industry is prepared to handle the busy summer travel season.

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Airlines cannot continue to blame these figures on bad weather and air traffic control. According to BTS data, only about one-fifth of the delayed flights were due to poor weather.<sup>7</sup> By contrast, before the pandemic, only one-third of delayed flights were delayed for weather-related reasons.<sup>8</sup> In other words, the weather is causing a *smaller share* of flight delays today than before COVID. Instead, roughly 40 percent of the delays this year were apparently due to circumstances within the airlines' control, the highest figure in over a decade.<sup>9</sup> Weather and air traffic control have always caused travel disruptions, but the data provides no evidence to suggest that they are causing *more* disruptions today.

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Thank you for your prompt consideration of this matter.

Sincerely,



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Edward J. Markey  
United States Senator



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Richard Blumenthal  
United States Senator

# United States Senate

June 28, 2022

Ben Minicucci  
Chief Executive Officer  
Alaska Airlines  
P.O. Box 68900-SEAEC  
Seattle, WA 98168

Dear Mr. Minicucci:

In anticipation of a busy summer travel season, we write to request Alaska Airlines take immediate action to mitigate the flight cancellations and delays that have affected thousands of travelers' holiday and vacation plans over the past six weeks. While the airline industry has blamed these disruptions on unexpected weather and air traffic control issues, the data suggests that the airlines themselves are at fault for many flight delays and cancellations. As the July 4<sup>th</sup> holiday approaches, the reliability of the air travel system should not be up in the air. We strongly urge you to prioritize the interests of your passengers and address flight schedule issues now and throughout the summer.

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<sup>5</sup> According to BTS data, 21.8 percent of flights were delayed in April, up from 18.1 percent in January. By contrast, 17.4 percent of flights were delayed, on average, in April between 2012 and 2019. These figures were calculated using data from BTS's website that the agency collects through its Airline Service Quality Performance System. To download the raw data, see *Airline On-Time Statistics and Delay Causes*, BUREAU OF TRANSPORTATION STATISTICS, [https://www.transtats.bts.gov/OT\\_Delay/OT\\_DelayCause1.asp](https://www.transtats.bts.gov/OT_Delay/OT_DelayCause1.asp).

<sup>6</sup> See FLIGHTAWARE DATABASE, *supra* note 1 (showing the percentage of flights delayed rising in May and June).

<sup>7</sup> *Airline On-Time Statistics and Delay Causes: Weather's Share of Delayed Flights*, BUREAU OF TRANSPORTATION STATISTICS, [https://www.transtats.bts.gov/ot\\_delay/OT\\_DelayCause1.asp?20=E](https://www.transtats.bts.gov/ot_delay/OT_DelayCause1.asp?20=E) (accessed June 24, 2022).

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Flight cancellations and significant delays have real-world consequences for the travelers who may miss vacations, sacrifice time with loved ones, or incur significant financial costs. If an airline cancels a flight for any reason, the airline must promptly provide passengers refunds, as required by the law.<sup>11</sup> During the COVID pandemic, however, the U.S. Department of Transportation (DOT) reported that airlines had difficulty processing requests and were at times reluctant to provide the required refunds.<sup>12</sup> Consumer complaints around both flight disruptions and refunds have since skyrocketed: DOT received 7,325 complaints about refunds in the first four months of 2022,<sup>13</sup> a 1,901 percent increase over the same period in 2019.<sup>14</sup> Airlines have now had more than two years to prepare for the return of air travelers and should be ready to receive and promptly process consumers' requests.

As Department of Transportation Secretary Pete Buttigieg recently made clear,<sup>15</sup> the July 4<sup>th</sup> holiday is an important test for the airline industry. After the mass flight cancellations over both Memorial Day and Juneteenth weekends, we — and many passengers — are concerned that another round of flight delays and cancellations awaits. In light of these concerns, we ask you to respond to the following questions by July 19, 2022 and no earlier than July 6, 2022:

1. Please provide the number of flight segments delayed and cancelled and the reasons for each delay and cancellation using the categories established by the Bureau of Transportation Statistics (i.e., air carrier, extreme weather, National Aviation System, security, or late arriving aircraft) for the following days:
  - a. May 27-30 (Memorial Day Weekend)
  - b. June 17-20 (Juneteenth Weekend)
  - c. June 30 - July 5 (July 4<sup>th</sup> Weekend)

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<sup>11</sup> 76 Fed. Reg. 23110, 23129 (Apr. 11, 2011).

<sup>12</sup> See U.S. DEPT. OF TRANSPORTATION, REPORT TO THE WHITE HOUSE COMPETITION COUNCIL: U.S. DEPARTMENT OF TRANSPORTATION'S INVESTIGATORY, ENFORCEMENT AND OTHER ACTIVITIES ADDRESSING LACK OF TIMELY AIRLINE TICKET REFUNDS ASSOCIATED WITH THE COVID-19 PANDEMIC (Sept. 9, 2021), <https://www.transportation.gov/sites/dot.gov/files/2021-09/DOT%20Report%20on%20Airline%20Ticket%20Refunds.pdf>.

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<sup>14</sup> See U.S. DEPT OF TRANSPORTATION, AIR TRAVEL CONSUMER REPORT 57 (May 2019), <https://www.transportation.gov/sites/dot.gov/files/docs/resources/individuals/aviation-consumer-protection/339871/may-2019-atcr-revised-9-26-2019.pdf> (321 complaints in January, February, and March); U.S. DEPT OF TRANSPORTATION, AIR TRAVEL CONSUMER REPORT 45 (June 2019), <https://www.transportation.gov/sites/dot.gov/files/2020-06/June%202019%20ATCR%20revised%206-30-2020.pdf> (91 complaints in April).

<sup>15</sup> David Shepardson, U.S. *transport chief presses airlines after delays, cancellations*, REUTERS (June 16, 2022), <https://www.reuters.com/world/us/airline-ceos-buttigieg-hold-virtual-meeting-thursday-sources-2022-06-16/>.

Mr. Minicucci

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2. Please provide your company's definition of "significant delay" under which your airline is required to provide a refund to passengers when it cancels a flight.
3. For any flights cancelled or significantly delayed on the abovementioned weekends, please provide the following information:
  - a. How many consumers have sought refunds? In what amount?
  - b. How many consumers have received refunds? In what amount?
  - c. How many consumers were rebooked on a different flight?
  - d. How many consumers have neither sought a refund nor were rebooked on a different flight?
4. Have you preemptively cancelled any flights ahead of the summer travel season?
  - a. If so, how many flights have you cancelled?
  - b. If so, how does your company determine which flights are cancelled preemptively?
  - c. If so, please explain the notice and compensation given to consumers who had already booked those flights.
  - d. If those cancellations included cessation of service to an airport, what steps does your company take to ensure that the community is still adequately accessible?
  - e. If not, why not?

Thank you for your prompt consideration of this matter.

Sincerely,



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Edward J. Markey  
United States Senator



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Richard Blumenthal  
United States Senator

# United States Senate

June 28, 2022

Maurice J. Gallagher, Jr.  
Chief Executive Officer  
Allegiant Air  
PO Box 371730  
Las Vegas, NV 89137

Dear Mr. Gallagher:

In anticipation of a busy summer travel season, we write to request Allegiant Air take immediate action to mitigate the flight cancellations and delays that have affected thousands of travelers' holiday and vacation plans over the past six weeks. While the airline industry has blamed these disruptions on unexpected weather and air traffic control issues, the data suggests that the airlines themselves are at fault for many flight delays and cancellations. As the July 4<sup>th</sup> holiday approaches, the reliability of the air travel system should not be up in the air. We strongly urge you to prioritize the interests of your passengers and address flight schedule issues now and throughout the summer.

The Memorial Day and Juneteenth weekends were plagued by vast cancellations and delays, leaving consumers increasingly frustrated with the airlines and uncertain about their ability to travel. Over Memorial Day weekend, airlines cancelled nearly 2,800 flights and delayed another 21,000 flights.<sup>1</sup> In response, some airlines proactively reduced their flight schedule, but these efforts have proven insufficient. The Father's Day and Juneteenth holiday weekend was even worse for travelers, with nearly 3,700 flights cancelled and more than 26,000 delayed.<sup>2</sup> These two mismanaged travel periods have burdened travelers and created increased concerns about whether the industry is prepared to handle the busy summer travel season.

Data indicates that the problem lies with the airlines. According to the Bureau of Transportation Statistics (BTS), airlines have cancelled roughly 3.5 percent of flights in the first three months of 2022, the highest figure since 2014 — excluding mass cancellations in 2020 from the COVID-19 pandemic.<sup>3</sup> Nearly 20 percent of flights have been delayed this year, also the highest figure since 2014.<sup>4</sup> Moreover, although BTS has only released data through April 2022, the trend line is concerning. Cancellations have fallen since January, but delays have risen

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<sup>1</sup> *US Domestic and International Delays and Cancellations Report*, FLIGHTAWARE, <https://public.tableau.com/app/profile/flightaware/viz/AirlineCancellationDelayUpdate/USAirlineCancellationsDelays> (accessed June 24, 2022) [hereinafter FLIGHTAWARE DATABASE].

<sup>2</sup> *Id.*

<sup>3</sup> *On-Time Performance - Reporting Operating Carrier Flight Delays at a Glance*, BUREAU OF TRANSPORTATION STATISTICS, <https://www.transtats.bts.gov/homedrillchart.asp> (accessed June 24, 2022).

<sup>4</sup> *Id.*

significantly, and April delays were far above pre-COVID levels.<sup>5</sup> Commercial data also suggests that delays have grown worse since April.<sup>6</sup>

Airlines cannot continue to blame these figures on bad weather and air traffic control. According to BTS data, only about one-fifth of the delayed flights were due to poor weather.<sup>7</sup> By contrast, before the pandemic, only one-third of delayed flights were delayed for weather-related reasons.<sup>8</sup> In other words, the weather is causing a *smaller share* of flight delays today than before COVID. Instead, roughly 40 percent of the delays this year were apparently due to circumstances within the airlines' control, the highest figure in over a decade.<sup>9</sup> Weather and air traffic control have always caused travel disruptions, but the data provides no evidence to suggest that they are causing *more* disruptions today.

Airlines have also argued that staff shortages — specifically pilot shortages — are another major cause of the recent flight disruption. We are skeptical of these claims. But even accepting the airlines' argument, a pilot shortage is no excuse for cancellations and delays. Airlines should have significant notice that they lack the crew to meet a certain flight schedule and, therefore, any shortages should not result in last-minute flight cancellations. In fact, many airlines have done just that and cut their summer schedule,<sup>10</sup> although the airlines' methods for determining those cuts remain unclear. Such cancellations still significantly disrupt consumers' travel plans and, even with these adjusted schedules, thousands of flights were *again* cancelled and delayed over Juneteenth weekend. The supposed shortage of pilots or other crew is no excuse for these flight disruptions.

Flight Disruptions in First Four Months		
	Delayed	Cancelled
2022	19.97%	3.56%
2021	10.88%	1.91%
2020	10.72%	11.77%
2019	18.61%	2.50%
2018	17.30%	2.16%
2017	18.86%	1.71%
2016	15.56%	1.51%
2015	19.53%	2.54%
2014	21.99%	3.70%
2013	18.61%	1.80%
2012	14.16%	1.12%
<b>Average 2012-2019</b>	<b>18.07%</b>	<b>2.14%</b>

<sup>5</sup> According to BTS data, 21.8 percent of flights were delayed in April, up from 18.1 percent in January. By contrast, 17.4 percent of flights were delayed, on average, in April between 2012 and 2019. These figures were calculated using data from BTS's website that the agency collects through its Airline Service Quality Performance System. To download the raw data, see *Airline On-Time Statistics and Delay Causes*, BUREAU OF TRANSPORTATION STATISTICS, [https://www.transtats.bts.gov/OT\\_Delay/OT\\_DelayCause1.asp](https://www.transtats.bts.gov/OT_Delay/OT_DelayCause1.asp).

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Flight cancellations and significant delays have real-world consequences for the travelers who may miss vacations, sacrifice time with loved ones, or incur significant financial costs. If an airline cancels a flight for any reason, the airline must promptly provide passengers refunds, as required by the law.<sup>11</sup> During the COVID pandemic, however, the U.S. Department of Transportation (DOT) reported that airlines had difficulty processing requests and were at times reluctant to provide the required refunds.<sup>12</sup> Consumer complaints around both flight disruptions and refunds have since skyrocketed: DOT received 7,325 complaints about refunds in the first four months of 2022,<sup>13</sup> a 1,901 percent increase over the same period in 2019.<sup>14</sup> Airlines have now had more than two years to prepare for the return of air travelers and should be ready to receive and promptly process consumers' requests.

As Department of Transportation Secretary Pete Buttigieg recently made clear,<sup>15</sup> the July 4<sup>th</sup> holiday is an important test for the airline industry. After the mass flight cancellations over both Memorial Day and Juneteenth weekends, we — and many passengers — are concerned that another round of flight delays and cancellations awaits. In light of these concerns, we ask you to respond to the following questions by July 19, 2022 and no earlier than July 6, 2022:

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Mr. Gallagher

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2. Please provide your company's definition of "significant delay" under which your airline is required to provide a refund to passengers when it cancels a flight.
3. For any flights cancelled or significantly delayed on the abovementioned weekends, please provide the following information:
  - a. How many consumers have sought refunds? In what amount?
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4. Have you preemptively cancelled any flights ahead of the summer travel season?
  - a. If so, how many flights have you cancelled?
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  - d. If those cancellations included cessation of service to an airport, what steps does your company take to ensure that the community is still adequately accessible?
  - e. If not, why not?

Thank you for your prompt consideration of this matter.

Sincerely,



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Edward J. Markey  
United States Senator



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Richard Blumenthal  
United States Senator

# United States Senate

June 28, 2022

Robert Isom  
Chief Executive Officer  
American Airlines  
P.O. Box 619616  
DFW Airport, TX 75261-9616

Dear Mr. Isom:

In anticipation of a busy summer travel season, we write to request American Airlines take immediate action to mitigate the flight cancellations and delays that have affected thousands of travelers' holiday and vacation plans over the past six weeks. While the airline industry has blamed these disruptions on unexpected weather and air traffic control issues, the data suggests that the airlines themselves are at fault for many flight delays and cancellations. As the July 4<sup>th</sup> holiday approaches, the reliability of the air travel system should not be up in the air. We strongly urge you to prioritize the interests of your passengers and address flight schedule issues now and throughout the summer.

The Memorial Day and Juneteenth weekends were plagued by vast cancellations and delays, leaving consumers increasingly frustrated with the airlines and uncertain about their ability to travel. Over Memorial Day weekend, airlines cancelled nearly 2,800 flights and delayed another 21,000 flights.<sup>1</sup> In response, some airlines proactively reduced their flight schedule, but these efforts have proven insufficient. The Father's Day and Juneteenth holiday weekend was even worse for travelers, with nearly 3,700 flights cancelled and more than 26,000 delayed.<sup>2</sup> These two mismanaged travel periods have burdened travelers and created increased concerns about whether the industry is prepared to handle the busy summer travel season.

Data indicates that the problem lies with the airlines. According to the Bureau of Transportation Statistics (BTS), airlines have cancelled roughly 3.5 percent of flights in the first three months of 2022, the highest figure since 2014 — excluding mass cancellations in 2020 from the COVID-19 pandemic.<sup>3</sup> Nearly 20 percent of flights have been delayed this year, also the highest figure since 2014.<sup>4</sup> Moreover, although BTS has only released data through April 2022, the trend line is concerning. Cancellations have fallen since January, but delays have risen

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significantly, and April delays were far above pre-COVID levels.<sup>5</sup> Commercial data also suggests that delays have grown worse since April.<sup>6</sup>

Airlines cannot continue to blame these figures on bad weather and air traffic control. According to BTS data, only about one-fifth of the delayed flights were due to poor weather.<sup>7</sup> By contrast, before the pandemic, only one-third of delayed flights were delayed for weather-related reasons.<sup>8</sup> In other words, the weather is causing a *smaller share* of flight delays today than before COVID. Instead, roughly 40 percent of the delays this year were apparently due to circumstances within the airlines' control, the highest figure in over a decade.<sup>9</sup> Weather and air traffic control have always caused travel disruptions, but the data provides no evidence to suggest that they are causing *more* disruptions today.

Airlines have also argued that staff shortages — specifically pilot shortages — are another major cause of the recent flight disruption. We are skeptical of these claims. But even accepting the airlines' argument, a pilot shortage is no excuse for cancellations and delays. Airlines should have significant notice that they lack the crew to meet a certain flight schedule and, therefore, any shortages should not result in last-minute flight cancellations. In fact, many airlines have done just that and cut their summer schedule,<sup>10</sup> although the airlines' methods for determining those cuts remain unclear. Such cancellations still significantly disrupt consumers' travel plans and, even with these adjusted schedules, thousands of flights were *again* cancelled and delayed over Juneteenth weekend. The supposed shortage of pilots or other crew is no excuse for these flight disruptions.

Flight Disruptions in First Four Months		
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2016	15.56%	1.51%
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Flight cancellations and significant delays have real-world consequences for the travelers who may miss vacations, sacrifice time with loved ones, or incur significant financial costs. If an airline cancels a flight for any reason, the airline must promptly provide passengers refunds, as required by the law.<sup>11</sup> During the COVID pandemic, however, the U.S. Department of Transportation (DOT) reported that airlines had difficulty processing requests and were at times reluctant to provide the required refunds.<sup>12</sup> Consumer complaints around both flight disruptions and refunds have since skyrocketed: DOT received 7,325 complaints about refunds in the first four months of 2022,<sup>13</sup> a 1,901 percent increase over the same period in 2019.<sup>14</sup> Airlines have now had more than two years to prepare for the return of air travelers and should be ready to receive and promptly process consumers' requests.

As Department of Transportation Secretary Pete Buttigieg recently made clear,<sup>15</sup> the July 4<sup>th</sup> holiday is an important test for the airline industry. After the mass flight cancellations over both Memorial Day and Juneteenth weekends, we — and many passengers — are concerned that another round of flight delays and cancellations awaits. In light of these concerns, we ask you to respond to the following questions by July 19, 2022 and no earlier than July 6, 2022:

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4. Have you preemptively cancelled any flights ahead of the summer travel season?
  - a. If so, how many flights have you cancelled?
  - b. If so, how does your company determine which flights are cancelled preemptively?
  - c. If so, please explain the notice and compensation given to consumers who had already booked those flights.
  - d. If those cancellations included cessation of service to an airport, what steps does your company take to ensure that the community is still adequately accessible?
  - e. If not, why not?

Thank you for your prompt consideration of this matter.

Sincerely,



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Edward J. Markey  
United States Senator



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Richard Blumenthal  
United States Senator

# United States Senate

June 28, 2022

Edward H. Bastian  
Chief Executive Officer  
Delta Air Lines  
P.O. Box 20706  
Atlanta, GA 30320

Dear Mr. Bastian:

In anticipation of a busy summer travel season, we write to request Delta Air Lines take immediate action to mitigate the flight cancellations and delays that have affected thousands of travelers' holiday and vacation plans over the past six weeks. While the airline industry has blamed these disruptions on unexpected weather and air traffic control issues, the data suggests that the airlines themselves are at fault for many flight delays and cancellations. As the July 4<sup>th</sup> holiday approaches, the reliability of the air travel system should not be up in the air. We strongly urge you to prioritize the interests of your passengers and address flight schedule issues now and throughout the summer.

The Memorial Day and Juneteenth weekends were plagued by vast cancellations and delays, leaving consumers increasingly frustrated with the airlines and uncertain about their ability to travel. Over Memorial Day weekend, airlines cancelled nearly 2,800 flights and delayed another 21,000 flights.<sup>1</sup> In response, some airlines proactively reduced their flight schedule, but these efforts have proven insufficient. The Father's Day and Juneteenth holiday weekend was even worse for travelers, with nearly 3,700 flights cancelled and more than 26,000 delayed.<sup>2</sup> These two mismanaged travel periods have burdened travelers and created increased concerns about whether the industry is prepared to handle the busy summer travel season.

Data indicates that the problem lies with the airlines. According to the Bureau of Transportation Statistics (BTS), airlines have cancelled roughly 3.5 percent of flights in the first three months of 2022, the highest figure since 2014 — excluding mass cancellations in 2020 from the COVID-19 pandemic.<sup>3</sup> Nearly 20 percent of flights have been delayed this year, also the highest figure since 2014.<sup>4</sup> Moreover, although BTS has only released data through April 2022, the trend line is concerning. Cancellations have fallen since January, but delays have risen

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<sup>1</sup> *US Domestic and International Delays and Cancellations Report*, FLIGHTAWARE, <https://public.tableau.com/app/profile/flightaware/viz/AirlineCancellationDelayUpdate/USAirlineCancellationsDelays> (accessed June 24, 2022) [hereinafter FLIGHTAWARE DATABASE].

<sup>2</sup> *Id.*

<sup>3</sup> *On-Time Performance - Reporting Operating Carrier Flight Delays at a Glance*, BUREAU OF TRANSPORTATION STATISTICS, <https://www.transtats.bts.gov/homedrillchart.asp> (accessed June 24, 2022).

<sup>4</sup> *Id.*

significantly, and April delays were far above pre-COVID levels.<sup>5</sup> Commercial data also suggests that delays have grown worse since April.<sup>6</sup>

Airlines cannot continue to blame these figures on bad weather and air traffic control. According to BTS data, only about one-fifth of the delayed flights were due to poor weather.<sup>7</sup> By contrast, before the pandemic, only one-third of delayed flights were delayed for weather-related reasons.<sup>8</sup> In other words, the weather is causing a *smaller share* of flight delays today than before COVID. Instead, roughly 40 percent of the delays this year were apparently due to circumstances within the airlines' control, the highest figure in over a decade.<sup>9</sup> Weather and air traffic control have always caused travel disruptions, but the data provides no evidence to suggest that they are causing *more* disruptions today.

Airlines have also argued that staff shortages — specifically pilot shortages — are another major cause of the recent flight disruption. We are skeptical of these claims. But even accepting the airlines' argument, a pilot shortage is no excuse for cancellations and delays. Airlines should have significant notice that they lack the crew to meet a certain flight schedule and, therefore, any shortages should not result in last-minute flight cancellations. In fact, many airlines have done just that and cut their summer schedule,<sup>10</sup> although the airlines' methods for determining those cuts remain unclear. Such cancellations still significantly disrupt consumers' travel plans and, even with these adjusted schedules, thousands of flights were *again* cancelled and delayed over Juneteenth weekend. The supposed shortage of pilots or other crew is no excuse for these flight disruptions.

Flight Disruptions in First Four Months		
	Delayed	Cancelled
2022	19.97%	3.56%
2021	10.88%	1.91%
2020	10.72%	11.77%
2019	18.61%	2.50%
2018	17.30%	2.16%
2017	18.86%	1.71%
2016	15.56%	1.51%
2015	19.53%	2.54%
2014	21.99%	3.70%
2013	18.61%	1.80%
2012	14.16%	1.12%
<b>Average 2012-2019</b>	<b>18.07%</b>	<b>2.14%</b>

<sup>5</sup> According to BTS data, 21.8 percent of flights were delayed in April, up from 18.1 percent in January. By contrast, 17.4 percent of flights were delayed, on average, in April between 2012 and 2019. These figures were calculated using data from BTS's website that the agency collects through its Airline Service Quality Performance System. To download the raw data, see *Airline On-Time Statistics and Delay Causes*, BUREAU OF TRANSPORTATION STATISTICS, [https://www.transtats.bts.gov/OT\\_Delay/OT\\_DelayCause1.asp](https://www.transtats.bts.gov/OT_Delay/OT_DelayCause1.asp).

<sup>6</sup> See FLIGHTAWARE DATABASE, *supra* note 1 (showing the percentage of flights delayed rising in May and June).

<sup>7</sup> *Airline On-Time Statistics and Delay Causes: Weather's Share of Delayed Flights*, BUREAU OF TRANSPORTATION STATISTICS, [https://www.transtats.bts.gov/ot\\_delay/OT\\_DelayCause1.asp?20=E](https://www.transtats.bts.gov/ot_delay/OT_DelayCause1.asp?20=E) (accessed June 24, 2022).

<sup>8</sup> *Id.*

<sup>9</sup> These figures were calculated using BTS data. See *Airline On-Time Statistics and Delay Causes*, *supra* note 5.

<sup>10</sup> See, e.g., Rob Wile, *Airlines cancel hundreds of flights before summer travel season because of pilot shortage*, NBC NEWS (June 8, 2022), <https://www.nbcnews.com/business/business-news/airlines-pilot-shortage-flight-cancellations-summer-travel-rcna32613>.

Flight cancellations and significant delays have real-world consequences for the travelers who may miss vacations, sacrifice time with loved ones, or incur significant financial costs. If an airline cancels a flight for any reason, the airline must promptly provide passengers refunds, as required by the law.<sup>11</sup> During the COVID pandemic, however, the U.S. Department of Transportation (DOT) reported that airlines had difficulty processing requests and were at times reluctant to provide the required refunds.<sup>12</sup> Consumer complaints around both flight disruptions and refunds have since skyrocketed: DOT received 7,325 complaints about refunds in the first four months of 2022,<sup>13</sup> a 1,901 percent increase over the same period in 2019.<sup>14</sup> Airlines have now had more than two years to prepare for the return of air travelers and should be ready to receive and promptly process consumers' requests.

As Department of Transportation Secretary Pete Buttigieg recently made clear,<sup>15</sup> the July 4<sup>th</sup> holiday is an important test for the airline industry. After the mass flight cancellations over both Memorial Day and Juneteenth weekends, we — and many passengers — are concerned that another round of flight delays and cancellations awaits. In light of these concerns, we ask you to respond to the following questions by July 19, 2022 and no earlier than July 6, 2022:

1. Please provide the number of flight segments delayed and cancelled and the reasons for each delay and cancellation using the categories established by the Bureau of Transportation Statistics (i.e., air carrier, extreme weather, National Aviation System, security, or late arriving aircraft) for the following days:
  - a. May 27-30 (Memorial Day Weekend)
  - b. June 17-20 (Juneteenth Weekend)
  - c. June 30 - July 5 (July 4<sup>th</sup> Weekend)

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<sup>11</sup> 76 Fed. Reg. 23110, 23129 (Apr. 11, 2011).

<sup>12</sup> See U.S. DEPT. OF TRANSPORTATION, REPORT TO THE WHITE HOUSE COMPETITION COUNCIL: U.S. DEPARTMENT OF TRANSPORTATION'S INVESTIGATORY, ENFORCEMENT AND OTHER ACTIVITIES ADDRESSING LACK OF TIMELY AIRLINE TICKET REFUNDS ASSOCIATED WITH THE COVID-19 PANDEMIC (Sept. 9, 2021), <https://www.transportation.gov/sites/dot.gov/files/2021-09/DOT%20Report%20on%20Airline%20Ticket%20Refunds.pdf>.

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<sup>14</sup> See U.S. DEP'T OF TRANSPORTATION, AIR TRAVEL CONSUMER REPORT 57 (May 2019), <https://www.transportation.gov/sites/dot.gov/files/docs/resources/individuals/aviation-consumer-protection/339871/may-2019-atcr-revised-9-26-2019.pdf> (321 complaints in January, February, and March); U.S. DEP'T OF TRANSPORTATION, AIR TRAVEL CONSUMER REPORT 45 (June 2019), <https://www.transportation.gov/sites/dot.gov/files/2020-06/June%202019%20ATCR%20revised%206-30-2020.pdf> (91 complaints in April).

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2. Please provide your company's definition of "significant delay" under which your airline is required to provide a refund to passengers when it cancels a flight.
3. For any flights cancelled or significantly delayed on the abovementioned weekends, please provide the following information:
  - a. How many consumers have sought refunds? In what amount?
  - b. How many consumers have received refunds? In what amount?
  - c. How many consumers were rebooked on a different flight?
  - d. How many consumers have neither sought a refund nor were rebooked on a different flight?
4. Have you preemptively cancelled any flights ahead of the summer travel season?
  - a. If so, how many flights have you cancelled?
  - b. If so, how does your company determine which flights are cancelled preemptively?
  - c. If so, please explain the notice and compensation given to consumers who had already booked those flights.
  - d. If those cancellations included cessation of service to an airport, what steps does your company take to ensure that the community is still adequately accessible?
  - e. If not, why not?

Thank you for your prompt consideration of this matter.

Sincerely,



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Edward J. Markey  
United States Senator



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Richard Blumenthal  
United States Senator



# United States Senate

June 28, 2022

Barry L. Biffle  
Chief Executive Officer  
Frontier Airlines  
4545 Airport Way  
Denver, CO 80239

Dear Mr. Biffle:

In anticipation of a busy summer travel season, we write to request Frontier Airlines take immediate action to mitigate the flight cancellations and delays that have affected thousands of travelers' holiday and vacation plans over the past six weeks. While the airline industry has blamed these disruptions on unexpected weather and air traffic control issues, the data suggests that the airlines themselves are at fault for many flight delays and cancellations. As the July 4<sup>th</sup> holiday approaches, the reliability of the air travel system should not be up in the air. We strongly urge you to prioritize the interests of your passengers and address flight schedule issues now and throughout the summer.

The Memorial Day and Juneteenth weekends were plagued by vast cancellations and delays, leaving consumers increasingly frustrated with the airlines and uncertain about their ability to travel. Over Memorial Day weekend, airlines cancelled nearly 2,800 flights and delayed another 21,000 flights.<sup>1</sup> In response, some airlines proactively reduced their flight schedule, but these efforts have proven insufficient. The Father's Day and Juneteenth holiday weekend was even worse for travelers, with nearly 3,700 flights cancelled and more than 26,000 delayed.<sup>2</sup> These two mismanaged travel periods have burdened travelers and created increased concerns about whether the industry is prepared to handle the busy summer travel season.

Data indicates that the problem lies with the airlines. According to the Bureau of Transportation Statistics (BTS), airlines have cancelled roughly 3.5 percent of flights in the first three months of 2022, the highest figure since 2014 — excluding mass cancellations in 2020 from the COVID-19 pandemic.<sup>3</sup> Nearly 20 percent of flights have been delayed this year, also the highest figure since 2014.<sup>4</sup> Moreover, although BTS has only released data through April 2022, the trend line is concerning. Cancellations have fallen since January, but delays have risen

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significantly, and April delays were far above pre-COVID levels.<sup>5</sup> Commercial data also suggests that delays have grown worse since April.<sup>6</sup>

Airlines cannot continue to blame these figures on bad weather and air traffic control. According to BTS data, only about one-fifth of the delayed flights were due to poor weather.<sup>7</sup> By contrast, before the pandemic, only one-third of delayed flights were delayed for weather-related reasons.<sup>8</sup> In other words, the weather is causing a *smaller share* of flight delays today than before COVID. Instead, roughly 40 percent of the delays this year were apparently due to circumstances within the airlines' control, the highest figure in over a decade.<sup>9</sup> Weather and air traffic control have always caused travel disruptions, but the data provides no evidence to suggest that they are causing *more* disruptions today.

Airlines have also argued that staff shortages — specifically pilot shortages — are another major cause of the recent flight disruption. We are skeptical of these claims. But even accepting the airlines' argument, a pilot shortage is no excuse for cancellations and delays. Airlines should have significant notice that they lack the crew to meet a certain flight schedule and, therefore, any shortages should not result in last-minute flight cancellations. In fact, many airlines have done just that and cut their summer schedule,<sup>10</sup> although the airlines' methods for determining those cuts remain unclear. Such cancellations still significantly disrupt consumers' travel plans and, even with these adjusted schedules, thousands of flights were *again* cancelled and delayed over Juneteenth weekend. The supposed shortage of pilots or other crew is no excuse for these flight disruptions.

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Sincerely,



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Edward J. Markey  
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