

118TH CONGRESS
2D SESSION

H. R. 9135

To direct the Secretary of Transportation to require certain air carriers to develop and regularly update an operational resiliency strategy, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2024

Mr. LARSEN of Washington (for himself and Mr. COHEN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Secretary of Transportation to require certain air carriers to develop and regularly update an operational resiliency strategy, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ensuring Airline Resil-
5 iency to Reduce Delays and Cancellations Act”.

6 **SEC. 2. AIRLINE OPERATIONAL RESILIENCY PLANS.**

7 (a) IN GENERAL.—Not later than 1 year after the
8 date of enactment of this Act, the Secretary of Transpor-
9 tation shall require a covered carrier to develop and regu-

1 larly update an operational resiliency strategy to prevent
2 or limit the impact of future flight disruptions on pas-
3 sengers.

4 (b) OPERATIONAL RESILIENCY STRATEGY.—In each
5 operational resiliency strategy developed under subsection
6 (a), a covered carrier shall include a description of—

7 (1) the potential impact of severe weather and
8 other reasonably anticipated disruptive events on the
9 operations of the carrier and how the carrier seeks
10 to prevent or limit the impact of such events on pas-
11 sengers;

12 (2) the potential impact of severe weather
13 events and other reasonably anticipated disruptive
14 events on—

15 (A) staffing models and the preparedness
16 of the current workforce of the carrier to ad-
17 dress such conditions; and

18 (B) the current information and technology
19 systems of the carrier, including crew sched-
20 uling systems, and the preparedness of such
21 systems to continue operations after such an
22 event or disruption;

23 (3) the preparedness of the carrier to maintain
24 operations and limit or prevent the impact of other
25 potential disruptive events identified by the carrier;

1 (4) the extent to which the carrier addresses
2 known cybersecurity risks and information tech-
3 nology deficiencies and vulnerabilities to prevent po-
4 tential flight disruptions; and

5 (5) any other issues the Secretary determines
6 appropriate to protect consumers and maintain the
7 operational stability of the airline industry.

8 (c) PROPRIETARY INFORMATION.—The Secretary
9 shall develop a method to protect the confidentiality of any
10 trade secret or proprietary information submitted in an
11 operational resiliency strategy under subsection (b).

12 (d) EVALUATION.—

13 (1) AUDIT.—Not later than 3 years after the
14 date of enactment of this Act, the Comptroller Gen-
15 eral of the United States shall initiate an audit to
16 evaluate the effectiveness of the operational resil-
17 iency strategies developed under this section by cov-
18 ered air carriers.

19 (2) REPORT.—Not later than 1 year after com-
20 pletion of the audit conducted under paragraph (1),
21 the Comptroller General shall submit to the Com-
22 mittee on Transportation and Infrastructure of the
23 House of Representatives and the Committee on
24 Commerce, Science, and Transportation of the Sen-
25 ate a report on the findings of the audit.

1 (e) COVERED CARRIER.—In this section, the term
2 “covered carrier” has the meaning given such term in sec-
3 tion 259.3 of title 14, Code of Federal Regulations (or
4 successor regulations).

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