

Union Calendar No. 733

118TH CONGRESS
2^D SESSION

H. R. 9135

[Report No. 118–898]

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

DECEMBER 18, 2024

Additional sponsors: Mr. STANTON, Mr. GARAMENDI, Mrs. NAPOLITANO, Ms. BROWNLEY, Ms. NORTON, Mr. MENENDEZ, Mr. CARTER of Louisiana, and Mr. DESAULNIER

DECEMBER 18, 2024

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on July 25, 2024]

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 *ieny to Reduce Delays and Cancellations Act”.*

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

7 *(a) IN GENERAL.—Not later than 1 year after the date*
8 *of enactment of this Act, the Secretary of Transportation*
9 *shall require a covered carrier to develop and regularly up-*
10 *date an operational resiliency strategy to prevent or limit*
11 *the impact of future flight disruptions on passengers.*

12 *(b) OPERATIONAL RESILIENCY STRATEGY.—In each*
13 *operational resiliency strategy developed under subsection*
14 *(a), a covered carrier shall include a description of—*

15 *(1) the potential impact of severe weather and*
16 *other reasonably anticipated disruptive events on the*
17 *operations of the carrier and how the carrier seeks to*
18 *prevent or limit the impact of such events on pas-*
19 *sengers;*

20 *(2) the potential impact of severe weather events*
21 *and other reasonably anticipated disruptive events*
22 *on—*

23 *(A) staffing models, including the ability of*
24 *such models to ensure the workforce is able to*
25 *adequately respond to such events and reschedule*

1 *passengers, flight crews, operations staff, and*
2 *other appropriate personnel; and*

3 *(B) the current information and technology*
4 *systems of the carrier, including crew scheduling*
5 *systems, and the preparedness of such systems to*
6 *continue operations after such an event or dis-*
7 *ruption;*

8 *(3) the preparedness of the carrier to maintain*
9 *operations and limit or prevent the impact of other*
10 *potential disruptive events identified by the carrier;*

11 *(4) the extent to which the carrier addresses*
12 *known cybersecurity risks and information technology*
13 *deficiencies and vulnerabilities to prevent potential*
14 *flight disruptions; and*

15 *(5) any other issues the Secretary determines ap-*
16 *propriate to protect consumers and maintain the*
17 *operational stability of the airline industry.*

18 *(c) PROPRIETARY INFORMATION.—The Secretary shall*
19 *develop a method to protect the confidentiality of any trade*
20 *secret or proprietary information submitted in an oper-*
21 *ational resiliency strategy under subsection (b).*

22 *(d) EVALUATION.—*

23 *(1) AUDIT.—Not later than 3 years after the*
24 *date of enactment of this Act, the Comptroller General*
25 *of the United States shall initiate an audit to evalu-*

1 *ate the effectiveness of the operational resiliency strat-*
2 *egies developed under this section by covered air car-*
3 *riers.*

4 (2) *REPORT.*—*Not later than 1 year after com-*
5 *pletion of the audit conducted under paragraph (1),*
6 *the Comptroller General shall submit to the Com-*
7 *mittee on Transportation and Infrastructure of the*
8 *House of Representatives and the Committee on Com-*
9 *merce, Science, and Transportation of the Senate a*
10 *report on the findings of the audit.*

11 (e) *COVERED CARRIER.*—*In this section, the term*
12 *“covered carrier” has the meaning given such term in sec-*
13 *tion 259.3 of title 14, Code of Federal Regulations (or suc-*
14 *cessor regulations).*

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