

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 9135
OFFERED BY MR. LARSEN OF WASHINGTON**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

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

4 SEC. 2. AIRLINE OPERATIONAL RESILIENCY PLANS.

5 (a) IN GENERAL.—Not later than 1 year after the
6 date of enactment of this Act, the Secretary of Transpor-
7 tation shall require a covered carrier to develop and regu-
8 larly update an operational resiliency strategy to prevent
9 or limit the impact of future flight disruptions on pas-
10 sengers.

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

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

1 (2) the potential impact of severe weather
2 events and other reasonably anticipated disruptive
3 events on—

4 (A) staffing models, including the ability of
5 such models to ensure the workforce is able to
6 adequately respond to such events and resched-
7 ule passengers, flight crews, operations staff,
8 and other appropriate personnel; and

9 (B) the current information and technology
10 systems of the carrier, including crew sched-
11 uling systems, and the preparedness of such
12 systems to continue operations after such an
13 event or disruption;

14 (3) the preparedness of the carrier to maintain
15 operations and limit or prevent the impact of other
16 potential disruptive events identified by the carrier;

17 (4) the extent to which the carrier addresses
18 known cybersecurity risks and information tech-
19 nology deficiencies and vulnerabilities to prevent po-
20 tential flight disruptions; and

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

24 (c) PROPRIETARY INFORMATION.—The Secretary
25 shall develop a method to protect the confidentiality of any

1 trade secret or proprietary information submitted in an
2 operational resiliency strategy under subsection (b).

3 (d) EVALUATION.—

4 (1) AUDIT.—Not later than 3 years after the
5 date of enactment of this Act, the Comptroller Gen-
6 eral of the United States shall initiate an audit to
7 evaluate the effectiveness of the operational resil-
8 iency strategies developed under this section by cov-
9 ered air carriers.

10 (2) REPORT.—Not later than 1 year after com-
11 pletion of the audit conducted under paragraph (1),
12 the Comptroller General shall submit to the Com-
13 mittee on Transportation and Infrastructure of the
14 House of Representatives and the Committee on
15 Commerce, Science, and Transportation of the Sen-
16 ate a report on the findings of the audit.

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

