

United States Senate

WASHINGTON, DC 20510

August 16, 2016

Edward H. "Ed" Bastian
Chief Executive Officer
Delta Air Lines, Inc.
P.O. Box 20706
Atlanta, Georgia 30320-6001

Dear Mr. Bastian,

We write to inquire about the resilience of your airline's Information Technology (IT) systems, your airline's policies for rebooking passengers in the event of widespread flight cancellations and delays, and your policies for protecting passengers' rights.

Recently, Southwest Airlines and Delta Air Lines experienced technology issues that resulted in thousands of flight cancellations across the country.¹ Last year, a United Airlines router issue grounded all of the airline's flights for two hours,² and nearly a dozen other technical glitches in recent years have caused flight cancellations and delays. These flight cancellations and delays are not only an inconvenience and expense for consumers, but they also can harm our economy, which relies on a safe and efficient aviation industry to stay competitive in our fast-paced, globalized economy.

We are concerned with recent reports indicating that airlines' IT systems may be susceptible to faltering because of the way they are designed and have been maintained. As the airlines merged over the past few decades, they combined different IT systems and technology platforms into complex systems.³ Further, some airlines use older technology, including software from the 1960s, as the backbone of their operations in 2016.⁴ Not only may these IT systems be more prone to failure, but they may also be vulnerable to cyberattacks, which is why Senator Markey queried your airline regarding its cybersecurity defenses last year.

As operators in this critical transportation industry, it is your responsibility to ensure that your IT systems are both reliable and resilient. Now that four air carriers control approximately 85 percent of domestic capacity,⁵ all it takes is one airline to experience an outage and thousands of passengers could be stranded, resulting in missed business meetings, graduations, weddings, funerals, and other prepaid events. In light of these recent technology issues, we encourage you to ensure that your IT systems have the appropriate safeguards and backups in place to withstand power outages, technological glitches, cyberattacks, and other hazards that can adversely affect IT systems.

¹ Martin, Hugo. "Why Delta's Outage Caused Such Widespread Headaches." Los Angeles Times. N.p., 16 Aug. 2016. Web. 16 Aug. 2016. <<http://www.latimes.com/business/la-fi-delta-outage-q-and-a-20160811-snap-story.html>>.

² Norton, Steven. "United Airlines Glitch Caused by Router Issue." The Wall Street Journal. N.p., 8 July 2015. Web. 15 Aug. 2016. <<http://blogs.wsj.com/cio/2015/07/08/united-airlines-glitch-caused-by-router-issue/>>.

³ Koenig, David. "Complexity Makes Airline Computer Systems Vulnerable." ABC News. N.p., 8 Aug. 2016. Web. 15 Aug. 2016. <<http://abcnews.go.com/Technology/wireStory/complexity-makes-airline-computer-systems-vulnerable-41212846>>.

⁴ Dastin, Jeffrey, and Jim Finkle. "More Airline Outages Seen as Carriers Grapple with Aging Technology." Reuters. N.p., 12 Aug. 2016. Web. 16 Aug. 2016. <<http://www.reuters.com/article/us-delta-air-outages-it-analysis-idUSKCN10N1A3>>.

⁵ Carey, Susan. "Delta Meltdown Reflects Problems With Aging Technology." The Wall Street Journal. N.p., 8 Aug. 2016. Web. 15 Aug. 2016. <<http://www.wsj.com/articles/delta-air-lines-says-computers-down-everywhere-1470647527>>.

We also have concerns about airlines' policies for assisting passengers in getting to their destinations in the event of flight cancellations or delays and compensating them for any associated costs. While in the past many airlines cooperated to rebook stranded passengers on competing carriers' flights, recent reports indicate that some airlines no longer have the interline agreements that previously allowed passengers to switch, without charge, to another airline or mode of transportation during travel disruptions.⁶ As a result, airlines may not be providing passengers with the full range of options available during travel disruptions to ensure passengers reach their destinations as quickly as possible. We believe that, in the event of flight delays and cancellations caused by airlines, air carriers should rebook interested passengers on another airline or on a different mode of transportation without charging consumers additional costs or fees and should provide passengers with full reimbursement and compensation, including for any needed meals and lodging.

As members of the Senate Commerce, Science, and Transportation Committee, we respectfully request that you answer the following questions:

1. Please provide a list of IT outages and/or disruptions that caused flight cancellations or delays longer than one hour for each of the past five years. What was the cause of these IT failures, what safeguards were in place at the time each outage occurred, and why did these safeguards fail to prevent the disruption? In light of those outages, has your airline changed its IT system or established additional safeguards and backups?
2. How many passengers' flights were delayed and/or cancelled as a result of the IT issues listed above? How many of those passengers were eligible to be rebooked on another airline's flight and, of those, how many passengers were actually rebooked by your airline onto a different air carrier's flight?
3. What specific safeguards and backups does your company have in place to prevent your airline's IT systems from failing? Please explain what protections you have in place to protect your airline's IT systems from the following vulnerabilities: (a) power outages, (b) technology glitches, and (c) cyberattacks.
4. Recent reports suggest that some airlines have aging, complex IT systems that are comprised of various parts from different airline mergers. Please describe the state of your airline's IT system and what specific steps are being taken to modernize it, if needed. If your company has merged with another airline in the past 15 years, please explain how operating systems and technologies have been combined.
5. In the event of delays and cancellations caused by the air carrier, does your airline rebook passengers on another airline or with a different mode of transportation for no additional charge? If not, why not? If so, under what circumstances are passengers eligible to be rebooked on another airline or on a different mode of transportation?

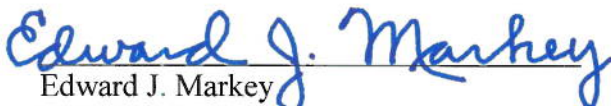
⁶ Sumers, Brian. "Delta's Hardline Stance Limits Its Ability to Rebook Passengers on Rival Airlines." Skift. N.p., 11 Aug. 2016. Web. 15 Aug. 2016. <<https://skift.com/2016/08/11/deltas-hardline-stance-limits-its-ability-to-rebook-passengers-on-rival-airlines/>>.


Please list the other air carriers and modes of transportation on which your airline rebooks passengers.

6. Does your airline notify passengers when they are eligible to be rebooked on another airline or on a different mode of transportation? If so, please describe how and when a passenger would be notified. If not, why not?
7. If your airline does rebook a passenger on another mode of transportation, do you refund the full cost of the air ticket minus the alternative mode of transportation?
8. Does your airline honor eligible passengers' requests to be rebooked on another airline or on a different mode of transportation in the event of irregular operations caused by the airlines? If not, why not? If the decision to rebook a passenger is at the discretion of the original carrier, what person (i.e., customer service agent or desk agent) has the authority to determine how and if the rebooking policy should be applied?
9. Transparency is critical, and when delays and cancellations are caused by the air carrier, customers should be eligible for a full refund and should be informed immediately of their eligibility. They should also be eligible for compensation for services like food and lodging. This information should be upfront and understandable. What other compensation and recourse, including but not limited to lodging, food, and reimbursement, does your airline provide consumers in the event of delays and cancellations caused by the air carrier? When a flight is cancelled or delayed, how are passengers notified that they are eligible for this compensation?
10. In the event of delays and cancellations caused by the air carrier, do you provide your customers with an open-ended opportunity to rebook their flight? Does your airline waive all fees, including change and cancellation fees?

Thank you for your attention to this important matter. Please provide written responses to these questions no later than September 16, 2016. If you have any questions, please have a member of your staff contact Daniel Greene (Daniel_Greene@Markey.Senate.Gov) in Senator Markey's office or Zach Radford (Zachary_Radford@Blumenthal.Senate.Gov) in Senator Blumenthal's office.

Sincerely,


Edward J. Markey
United States Senate


Richard Blumenthal
United States Senate