



Airlines for America®

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February 27, 2025

Pavan Pidugu
Chief Information Officer
U.S. Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

Russell Vought
Director
Office of Management and Budget
725 17th Street NW
Washington, DC 20503

Submitted via Reginfo.gov

Re: A4A Comments to DOT Notice of Submission of Proposed Information Collection to OMB Agency Request for Renewal of a Previously Approved Collection: Airline Service Quality Performance—Part 234 (DOT-OST-2014-0031, OMB Control No. 2138-0041)

Dear Mr. Pidugu and Director Vought:

Airlines for America (“A4A”), on behalf of its members,¹ writes to comment on the U.S. Department of Transportation’s (“Department” or “DOT”) notice and request for comments, *Notice of Submission of Proposed Information Collection to OMB; Agency Request for Renewal of a Previously Approved Collection: Airline Service Quality Performance—Part 234* (hereinafter “Notice”).² Considering the important uses and consequences of airline on-time performance data,³ A4A and our members have a significant interest in the quality, utility and clarity of Department’s information collection. Because the Department’s request for Office of Management and Budget’s (“OMB”) approval of the proposed information collection has material errors and omissions, we respectfully request that the Department withdraw its submission. Alternatively, we recommend that the OMB does not approve DOT’s request until the information collection is appropriately corrected.

¹ A4A’s members are Alaska Air Group, Inc.; American Airlines Group, Inc.; Atlas Air Worldwide Holdings, Inc.; Delta Air Lines, Inc.; FedEx Corp.; JetBlue Airways Corp.; Southwest Airlines Co.; United Airlines Holdings, Inc.; and United Parcel Service Co. Air Canada is an associate member.

² 90 Fed. Reg. 8,318 (Nov. 8, 2024) (hereinafter “ICR Notice”). The Notice was issued by DOT’s Office of the Secretary; however, the information collection is controlled by the Bureau of Transportation Statistics, which initiated the approval request process for the subject information collection. See *infra*, note 4 and accompanying text. We address these comments to the Department as the entity that issued the Notice.

³ See DOT, Supporting Statement at 1 (Dec. 3, 2024) (“The information and airline rankings enable the public to better evaluate transportation options. . . . The information and rankings can have significant impact on airline’s image and brand identity and serve as an incentive to airlines to improve performance and customer service.”)

On November 8, 2024, the Bureau of Transportation Statistics (“BTS”) issued a notice and request for comments on the subject information collection in accordance with the Paperwork Reduction Act of 1995, 44 U.S.C. § 3501 *et seq* (“PRA”).⁴ On January 7, 2025, A4A submitted comments to that notice and request.⁵ See **Appendix A**. The comments herein supplement our comments to BTS and offer additional information for the Department’s and OMB’s consideration.

The Department Should Conduct a Complete Evaluation of A4A’s Comments

The PRA requires that the Department “evaluate[] the public comments received” in response to BTS’s November 8 notice and request for comments.⁶ The extent of DOT’s evaluation of A4A’s comments is set forth in the Department’s Supporting Statement for the information collection:

Airlines for America is asking BTS to expand coverage of the BTS air carrier on-time performance data program beyond the top 14 carriers. This would require a rulemaking and would involve increased respondent burden which are beyond simple renewal of an existing program. BTS has proposed initiating a rulemaking for various aspects of the BTS air carrier on-time performance data program as required by section 511 of the FAA Authorization Act. We believe that coverage beyond the top 14 carriers could be raised as part of that rulemaking.

This evaluation is incomplete and omits material comments from A4A regarding the information collection. For example, A4A commented on how BTS should improve the quality, utility and clarity of the information collection by updating its technical reporting directives for reporting under part 234. See Appendix A at 4 – 5. BTS did not evaluate these comments or others regarding improvements to the information collection. The Department should undertake a more thorough evaluation of A4A’s comments for the benefit of all stakeholders.

BTS Should Amend its Technical Reporting Directives before OMB Approval

In section 511 of the FAA Reauthorization Act of 2024, Congress explicitly instructed BTS that ten (10) causes “shall not be included within the Air Carrier code specified in section 234.4 of title 14, Code of Federal Regulations, for cancelled and delayed flights.”⁷ Congress did not require a rulemaking by BTS or DOT to implement this instruction.

Meanwhile, the causes that BTS believes are within the control of air carriers are listed in BTS’s Technical Reporting Directive #39 – On-Time Performance (“TRD #39”). See **Appendix B** at 27 – 28. Airlines must follow BTS’s technical directive.⁸ In the final weeks of the Biden Administration, BTS reissued the technical directive on December 3, 2024 with guidance that directly contravenes Congress’s instruction. See **Table 1**. We also note that, in its submission to OMB, the Department included a portion of TRD #39, but omitted sections that were the focus of our comments and directly implicate the quality, utility and clarity of the information collection. We provide a full copy of TRD #39 in **Appendix B**, for your convenience.

⁴ See BTS, Notice of Submission of Proposed Information Collection to OMB; Agency Request for Renewal of a Previously Approved Collection: Airline Service Quality Performance—Part 234, 89 Fed. Reg. 88,861 (Nov. 8, 2024).

⁵ A4A, Comments of Airlines for America (hereinafter “A4A Comments”), *available at* <https://www.regulations.gov/comment/DOT-OST-2014-0031-0113>.

⁶ See 44 U.S.C. § 3507(a)(1)(B).

⁷ Pub. L. 118-63.

⁸ See 14 C.F.R. §§ 234.4 – 234.5.

Presuming that TRD #39 was unintentionally issued in contravention of Congress's explicit instructions, we urge OMB to ensure that the Department and BTS carry out Congress's instructions before approving the information collection.

Table 1.
Comparison of Causes that BTS Believes are within Air Carrier Control
To Congress's Instruction to Remove the Cause from the Air Carrier Code

TRD #39 List of Causes Within Air Carrier Control	Congress's Instruction to Remove from the Air Carrier code
Aircraft cleaning	Aircraft cleaning necessitated by the death of a passenger
Aircraft damage (except bird strikes, lighting/hail damage)	Aircraft damage caused by extreme weather, foreign object debris, or sabotage
Baggage loading	A baggage or cargo loading delay caused by an outage of a bag system not controlled by a carrier or its contractor
Cargo loading	
Computer outage – carrier equipment	Cybersecurity attacks (provided that the air carrier is in compliance with applicable cybersecurity regulations)
Hot brakes restriction	Overheated brakes due to a safety incident resulting in the use of emergency procedures
Maintenance	Unscheduled maintenance, including in response to an airworthiness directive, manifesting outside a scheduled maintenance program that cannot be deferred or must be addressed before flight
Medical emergency	An emergency that required medical attention through no fault of the carrier
Removal of an unruly passenger	The removal of an unruly passenger

We also submit that BTS and DOT should specifically evaluate our comments to amend all of its applicable technical reporting directives, as instructed by Congress and otherwise requested in A4A's comments and petition. See Appendix A.

The Department Should Update Its Burden Calculations

In A4A's comments to BTS's November 8 notice and request for comments, A4A provided information regarding the burden of respondents for the information collection. See Appendix A at 7. This information is materially different from BTS's existing estimated burdens and would increase the estimated costs and burdens for respondents.

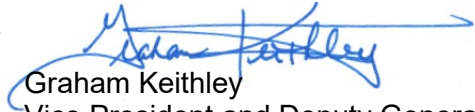
However, the Department's submission to OMB does not evaluate, nor even consider, A4A's comments. The Department gives no reason to ignore or otherwise discount A4A's comments regarding the burden on respondents.

Accordingly, we recommend that the Department's submission be corrected regarding the estimated burden before OMB approves the information collection.

In conclusion, we submit these comments and requests in the interest of ensuring BTS and the Department have an accurate information collection so that stakeholders, including the traveling public and airlines, can better understand the on-time performance of airlines and the precise

causes of delays or cancellations. We look forward to working with BTS, the Department, and OMB to improve this information collection.

Very respectfully,

A handwritten signature in blue ink, appearing to read "Graham Keithley", with a long horizontal flourish extending to the right.

Graham Keithley
Vice President and Deputy General Counsel
Airlines for America

**COMMENTS OF
AIRLINES FOR AMERICA
(DOT-OST-2014-0031)**

Appendix A

January 7, 2025

**BEFORE THE
BUREAU OF TRANSPORTATION STATISTICS
U.S. DEPARTMENT OF TRANSPORTATION
WASHINGTON, DC**

In the Matter of:

**Notice of Submission of Proposed Information
Collection to OMB; Agency Request for
Renewal of a Previously Approved Collection:
Airline Service Quality Performance—Part 234**

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) Docket No.: DOT-OST-2014-0031
) OMB Control No. 2138-0041
)
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COMMENTS OF AIRLINES FOR AMERICA

Airlines for America (“A4A”), on behalf of its members,¹ submits these comments to the Bureau of Transportation Statistics (“Bureau” or “BTS”) notice and request for comments, *Notice of Submission of Proposed Information Collection to OMB; Agency Request for Renewal of a Previously Approved Collection: Airline Service Quality Performance—Part 234* (“Notice”).² As previously expressed to the Bureau: “A4A and its members recognize the need for data required by [part 234 of title 14 of the United States Code of Federal Regulations (“Part 234”)],” having “support[ed] the requirement that ‘all carriers providing domestic schedule service to file reports because it would increase the total amount of information available to the public.’”³ We submit these comments to help the Bureau accomplish its core statutory duties, most especially to “continually improve surveys and data collection methods of the [U.S. Department of Transportation (“Department” or “DOT”)] to improve the *accuracy* and *utility* of

¹ A4A’s members are Alaska Air Group, Inc.; American Airlines Group, Inc.; Atlas Air Worldwide Holdings, Inc.; Delta Air Lines, Inc.; FedEx Corp.; Hawaiian Airlines; JetBlue Airways Corp.; Southwest Airlines Co.; United Airlines Holdings, Inc.; and United Parcel Service Co. Air Canada is an associate member.

² 89 Fed. Reg. 88,861 (Nov. 8, 2024) (hereinafter “Notice”) (OMB Control Number 2138-0041).

³ See A4A, Petition for Rulemaking to Revise On-Time Performance Reporting Regulations Under 14 CFR Part 234, 4 (Oct. 18, 2024) (hereinafter “A4A Petition”) (quoting Enhancing Passenger Protections III, 81 Fed. Reg. 76,800, 76,803 (Nov. 3, 2016)), **Appendix A**.

transportation statistics” and “issue guidelines for the collection of information by the Department that the Director determines necessary to develop transportation statistics . . . to ensure that such information is accurate, reliable, relevant, uniform, and in a form that permits systematic analysis by the Department.”⁴ We respectfully submit that the Bureau must update Part 234, and therefore this information collection, as instructed by Congress and petitioned by A4A *before* seeking approval from the Office of Management and Budget (“OMB”) under the Paperwork Reduction Act of 1995 (“PRA”) to renew the collection of Part 234 information. *See Appendix A* (“A4A Petition”). We also submit that it would be hypocritical for the Department to subject airlines to enforcement action and civil penalties for non-compliant reporting or a failure to report under the Department’s on-time performance reporting regulations, when the Bureau itself has not abided by the directions of its own regulator—*i.e.*, Congress—to update the reporting requirements. In other words, airlines should not face any regulatory liability risk when Congress has already declared the existing information collection under Part 234 and intended to be renewed by this BTS action to be inaccurate and require revision.

As the Bureau invited, we also submit necessary comments herein regarding: “(a) Whether the collection of information is necessary for the proper performance of the functions of DOT, including whether the information will have practical utility; (b) the accuracy of DOT’s estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents.”⁵

⁴ 49 U.S.C. §§ 6302(b)(3)(B)(iv) and (viii) (emphasis added).

⁵ *See supra* note 2, Notice at 88,863.

I. REPORTING OF ON-TIME PERFORMANCE (14 C.F.R. § 234.4 *ET SEQ.*)

Pursuant to the Department’s regulations,⁶ but also to the benefit of the traveling public industry, and all other air transportation stakeholders, BTS’s collection of on-time performance information should strive for accuracy and fair accounting of delays.⁷ In fact, Congress explicitly instructed the Department to “include information on delays and cancellations that are due to instructions from the FAA Air Traffic Control System Command Center in the Air Travel Consumer Report issued by the Office of the Aviation Consumer Protection of the Department of Transportation.”⁸ For example, airlines and the public will better understand the downstream impacts of an air traffic control instruction delay or other impact when the reporting reflects such impacts. As recognized in a recent report by DOT’s Assistant Inspector General for Aviation Audits (the “OIG Report”), the information is also “used by carriers to benchmark their operational performance against rival carriers, and by academia and other industry stakeholders to analyze flight delays and cancellations.”⁹

The Bureau can and must enhance the quality, utility and clarity of the information collected regarding airline on-time performance. First, the Bureau should grant and incorporate the requests in the A4A Petition to update Part 234. *See Appendix A.* This includes Congress’s instructions to update Part 234 and other recommendations to ensure accurate reporting of on-time performance data, most especially regarding the causes of delays and cancellations.

Second, the Bureau should update its technical reporting directives regarding on-time performance reporting.¹⁰ In fact, the Department’s regulations *require* that airlines report in the

⁶ See 14 C.F.R. part 234.

⁷ See *supra* note 3, A4A Petition at 3 and 18 (regarding DOT’s uses of Part 234 data and benefits to consumers).

⁸ FAA Reauthorization Act of 2024, Pub. L. No. 118-63, § 511 (May 16, 2024).

⁹ DOT, *The Bureau of Transportation Statistics Verified the Accuracy of Flight Delay and Cancellation Data but Can Do More to Assess Its Completeness and Consistency* (Oct. 23, 2024) (Report AV2025003) (hereinafter “OIG Report”), **Appendix B.**

¹⁰ The Bureau only cites Technical Reporting Directive #27, regarding the format and instructions for reporting this information. Compare *e.g.*, BTS, Title 14 Code of Federal Regulations Parts 234 Technical Reporting Directive #27 – On-Time

form and manner set forth in BTS's technical reporting directives.¹¹ However, the technical reporting directives are materially flawed, directly contradicting Congress's instructions and not otherwise reflecting accurate causes of delays and cancellations.¹² For example, Congress specifically instructed BTS to exclude overheated brakes due to a safety incident resulting in the use of emergency procedures as a reported air carrier cause for cancelled or delayed flights, while BTS's technical reporting directives list "hot brakes restriction" as an example cause for delay and cancellation that BTS believes is within the control of the air carrier and should be considered a "guide for the type of occurrences that should be reported as an air carrier delay and/or cancellation."¹³ Thus, to be accurate, BTS should amend all of its applicable technical reporting directives as instructed by Congress and otherwise requested in the A4A Petition *before* seeking the forthcoming request for renewal of OMB's approval for the information collection. *See Appendix A.* In addition to the recommendations in the A4A Petition, we also recommend that the Department change the applicable technical reporting directives to improve the quality, utility and clarity of airlines' on-time performance information. Specifically, based on the mandate from Congress that instructed certain circumstances not be included under the air carrier code, the Department should update its technical reporting directives to clarify that:

- Security coded delays and cancellations include security-related and other non-airline or emergency-related causes, including aircraft cleaning necessitated by the death of a passenger, aircraft damage caused by foreign object debris, a

Performance 15 and 24 (Aug. 15, 2017) (suggesting a file name format) *with* BTS, Title 14 Code of Federal Regulations Parts 234 Technical Reporting Directive #31 – On-Time Performance 14 and 23 (Dec. 12, 2018) (requiring a file name format). However, this notice is deficient. The reporting of on-time performance data is also governed by Technical Reporting Directive #31. Although substantially similar, the directives have material differences. *Compare e.g.*, BTS, Title 14 Code of Federal Regulations Parts 234 Technical Reporting Directive #27 – On-Time Performance 15 and 24 (Aug. 15, 2017) (suggesting a file name format) *with* ., BTS, Title 14 Code of Federal Regulations Parts 234 Technical Reporting Directive #31 – On-Time Performance 14 and 23 (Dec. 12, 2018) (requiring a file name format).

¹¹ *See* 14 C.F.R. § 234.4 ("The report shall be made in the form and manner set forth in account and reporting directives issued by the Director, Office of Airline Statistics . . .") and 14 C.F.R. § 234.5 ("The reports must be submitted to the Office of Airline Information in a format specified in accounting and reporting directives issued by the Bureau of Transportation Statistics' Assistant Director for Airline Information.").

¹² *Compare* FAA Reauthorization Act of 2024, Pub. L. 118-63 §511 *with* BTS, Title 14 Code of Federal Regulations Parts 234 Technical Reporting Directive #31 – On-Time Performance 14 and 23 (Dec. 12, 2018) (requiring a file name format).

¹³ *Id.*

baggage or cargo loading delay caused by an outage of a bag system not controlled by a carrier or its contractor, overheated brakes due to a safety incident resulting in the use of emergency procedures, cybersecurity attacks, unscheduled maintenance (including in response to an airworthiness directive, manifesting outside a scheduled maintenance program that cannot be deferred or must be addressed before the flight), the removal of an unruly passenger, an emergency that required medical attention through no fault of the carrier, and aircraft damage caused by sabotage;

- Weather coded delays and cancellations include aircraft damage caused by extreme weather and an airport closure due to the presence of volcanic ash, wind, or wind shear; and
- FAA ATC System instruction coded delays and cancellations include a shutdown or system failure of government systems that directly affects the ability of an air carrier to safely conduct flights and is unexpected.

Third, we also recommend that the Bureau implement the recommendations in the OIG Report to improve the quality of on-time performance information. Most importantly, the Bureau should take the opportunity to address the recommendations regarding its directives and improve its instructions on how airlines collect and report on-time performance data.¹⁴ With respect to causes of delay,¹⁵ we strongly recommend that the Bureau consider the root cause of delays when airlines report the predominant cause of departure delays. If the Department is not analyzing the underlying root cause of delays, it will fail to address the actual issue; addressing subsequent or downstream causes only mitigates the delay and does not prevent the delay in the first place.

The Bureau's estimate of the burden of on-time performance reporting is inaccurate. Specifically, the Bureau estimates that:

- It takes air carriers reporting the flight performance information for the flights they operate 10 hours per response each month; and

¹⁴ See *supra* note 9, OIG Report at 11 – 12.

¹⁵ See *id.* at 12. See also BTS, Title 14 Code of Federal Regulations Parts 234 Technical Reporting Directive #27 – On-Time Performance (Aug. 15, 2017) available at <https://www.bts.gov/sites/bts.dot.gov/files/docs/explore-topics-and-geography/topics/airlines-and-airports/207741/technical-directive-no-27-time-2018.pdf>.

- It takes air carriers reporting the flight performance information for flights operated by their code share partners an additional 16 hours per response each month.¹⁶

These estimates are low. Based on members' information, it can take an air carrier up to 22 hours per month to report flight performance information for the flights they operate, which includes time accrued for data compilation, validation, error correction, and closing of reports for submission to the Department. Further time would be needed for more accurate reporting based on root cause, adding approximately 20 more hours due to the complexity of root cause analysis on downstream flights and the required validation and error correction for precision.

The Bureau should take affirmative steps to reduce the reporting burden on the reporting airlines. First, any required and requested changes to the reporting requirements, including the format and manner of reporting, should become effective 180 days after issuance. This phased compliance approach gives airlines adequate time to adjust their data systems and collection and reporting processes to be compliant with the changes.

II. MISHANDLED BAGGAGE (14 C.F.R. § 234.6)

The Bureau estimates the monthly burdens for an airline reporting mishandled baggage and wheelchairs and scooters to be 10 hours for the flights operated by the respondent, plus an additional 16 hours if reporting for flights operated by code share partners.¹⁷ Based on members' information, we believe this estimate should be increased to 14 hours for baggage and 72 hours for wheelchairs per month for the flights operated by the respondent, which reflects time accrued compiling data, validating data with third-party service providers, error correction, and closing reports for submission to the Department.

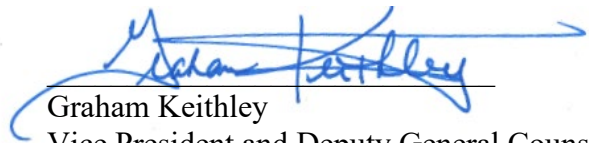
¹⁶ See *supra* note 2, Notice at 88,862.

¹⁷ See *supra* note 2, Notice at 88,862 – 863.

III. CONCLUSION

A4A and its members thank the Bureau for considering our comments. We strongly recommend that the Bureau take the significant and recommended steps herein to correct the airlines' reporting requirements under Part 234 to achieve its mission of accuracy and utility of airline data, while also improving the quality and clarity of such data. The Bureau should not pursue this renewal until completion of those improvements. If you have any questions, please contact Graham Keithley at gkeithley@airlines.org.

Respectfully submitted,



Graham Keithley
Vice President and Deputy General Counsel
Regulatory Legal Affairs
AIRLINES FOR AMERICA

Dated: January 7, 2025

**BEFORE THE
BUREAU OF TRANSPORTATION STATISTICS
U.S. DEPARTMENT OF TRANSPORTATION
WASHINGTON, DC**

In the Matter of:

**Notice of Submission of Proposed Information
Collection to OMB; Agency Request for
Renewal of a Previously Approved Collection:
Airline Service Quality Performance—Part 234**

Docket No.: DOT-OST-2014-0031
OMB Control No. 2138-0041

**COMMENTS OF
AIRLINES FOR AMERICA**

Appendix A

**BEFORE THE
BUREAU OF TRANSPORTATION STATISTICS
U.S. DEPARTMENT OF TRANSPORTATION
WASHINGTON, DC**

DOCKET DOT-OST-2024-

**PETITION FOR RULEMAKING
TO REVISE ON-TIME PERFORMANCE
REPORTING REGULATIONS
UNDER 14 CFR PART 234**

EXPEDITED ACTION REQUESTED

Communications with respect to this document should be sent to:

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Counsel for Airlines for America

October 18, 2024

**BEFORE THE
BUREAU OF TRANSPORTATION STATISTICS
U.S. DEPARTMENT OF TRANSPORTATION
WASHINGTON, DC**

DOCKET DOT-OST-2024-

**PETITION FOR RULEMAKING
TO REVISE ON-TIME PERFORMANCE
REPORTING REGULATIONS
UNDER 14 CFR PART 234**

EXPEDITED ACTION REQUESTED

Pursuant to § 553(e) of the Administrative Procedure Act (“APA”)¹ and 49 CFR § 5.3, Airlines for America (“A4A”) and its members, Alaska Air Group, Inc., American Airlines Group, Inc., Delta Air Lines, Inc., JetBlue Airways Corp., Southwest Airlines Co., and United Airlines Holdings, Inc. (collectively, the “Members” and with A4A, the “Petitioners”), hereby petition the Department of Transportation (“Department”) Bureau of Transportation Statistics (“BTS”)² to issue a Notice of Proposed Rulemaking (“NPRM”) to revise section 234.4 of title 14, Code of Federal Regulations³ (“CFR”) (“Part 234”), to create a new “cause of delay” and cancellation⁴ category (or categories) that identifies and tracks information on delays and cancellations of air

¹ 5 U.S.C. § 553(e).

² BTS is an independent bureau within the Department. *See* 49 U.S.C. § 6302(d)(1) (stating that the Director of BTS is not required “to obtain the approval of any other officer or employee of the Department with respect to the collection or analysis of any information”). BTS’s enumerated duties include ensuring compiled transportation statistics “are designed to support transportation decisionmaking” for the Federal Government, working with the operating administrations of the Department to establish and implement the data programs of the Bureau, and “continually improv[ing] data collection methods of the Department to improve the accuracy and utility of transportation statistics.” *Id.* § 6302(b)(3)(B).

³ 14 CFR § 234.4.

⁴ Section 511(a) of the FAA Reauthorization Act of 2024 initially states “cause of delay,” but it is clear from the context, as well as later inclusion of “cancellations” in sections (a) and (b), that the Act is meant to create a new category or categories for both delays and cancellations. *See infra* fn. 5 and accompanying text. As such, Petitioners refer to the proposed new category as “cause of delay” and cancellation throughout this petition.

carriers (as defined in section 40102 of title 49, United States Code) that are due to instructions from the Federal Aviation Administration (“FAA”) Air Traffic Control System (“ATC”), to make other necessary changes required by Congress, and the changes requested herein. BTS was legally mandated to fulfill this clear congressional directive in Section 511 of the FAA Reauthorization Act of 2024 (“Section 511” or “FAA Act”⁵) no later than 60 days after enactment of the FAA Act and failed to do so. As such, and for reasons stated herein, the Petitioners respectfully request expedited consideration and grant of this petition and immediate issuance of the BTS NPRM.

EXECUTIVE SUMMARY

The Petitioners respectfully submit this petition for rulemaking requesting that BTS immediately initiate a rulemaking process to revise Part 234, as mandated by Section 511 of the FAA Act. Granting this petition is legally required and aligns with the Department’s long-standing policy and practice of implementing airline reporting requirements to benefit travelers through greater transparency of FAA ATC and air carrier operational performance. The congressionally required and requested revisions creating a new “cause of delay” and cancellation category (or categories) for identifying and tracking delays and cancellations due to instructions from the FAA ATC are essential to ensure accurate and consistent data reporting, enhanced transparency for the traveling public, and prevent consumer misperceptions and unwarranted harm to airlines. The revisions should also exclude other causes from being classified under the “Air Carrier” code for cancelled and delayed flights. As the Department has noted with respect to BTS Part 234 data, it

⁵ FAA Reauthorization Act of 2024, PL 118-63, § 511, 138 Stat 1025, 1195 (2024).

“enable[s] the Department to obtain and provide to the flying public a more complete picture of the performance of scheduled passenger service in general.”⁶

Accuracy is a cornerstone of BTS reporting obligations,⁷ and violations for inaccurate data in airline reporting obligations can be met with severe penalties. The Department has long recognized that the reporting requirements in Part 234 “have been effective tools for the Department to collect airline service and performance data.”⁸ The Department uses this information “to monitor the quality of service provided to the flying public by each reporting carrier and to furnish the information to consumers via the Air Travel Consumer Report.”⁹ The Department also uses this data “in connection with rulemakings and other important policy decisions.”¹⁰ And specifically with respect to cause of delay and cancellation, the Department has recognized in prior rulemakings that enhancements to BTS’s reporting requirements, like expanding the reporting carrier pool, “would enhance the Department’s ability to analyze the cause of flight disruptions such as delays and cancellations” to address issues like “flight irregularities due to less-frequent service.”¹¹ This rulemaking is necessary to continue to enhance the reporting requirements and ensure that the cause of delay and cancellation data provided to BTS and ultimately disseminated to the traveling public is complete and accurate, and thereafter the Department takes into account a more complete and accurate picture of the causes of delays and cancellations that can occur during airline operations.

⁶ See Enhancing Airline Passenger Protections III, 81 Fed. Reg. 76,800, 76,804 (Nov. 3, 2016).

⁷ See 49 U.S.C. §§ 6302(b)(3)(B)(iv) and (viii) (regarding BTS duties of ensuring transportation data and statistics accuracy).

⁸ See Enhancing Passenger Protections III, 81 Fed. Reg. at 76,804.

⁹ See *id.*

¹⁰ See *id.*

¹¹ See *id.*

PETITION

I. OVERVIEW OF THE NEED FOR RULEMAKING

A4A stands as the leading U.S. airline trade association, championing the interests of its members by influencing key policies and initiatives that enhance safety, security, and the overall health of the U.S. airline industry. By working in partnership with airlines, labor unions, Congress, the Administration, and other stakeholders, A4A aims to advance aviation for both passengers and cargo. A4A and its members are committed to ensuring that the data reported to the Department, which the Department thereafter releases to the public, accurately represents the operational challenges faced by air carriers, providing the Department, consumers, and air carriers with reliable information for making well-informed decisions. In the past, when the Department has considered certain opportunities to expand the reporting requirements, A4A and its members have recognized the need for data required by Part 234, supporting the requirement that “all carriers providing domestic scheduled service to file reports because it would increase the total amount of information available to the public.”¹²

Section 41708 of title 49 of the United States Code (“Section 41708”) authorizes the Department to require air carriers to submit on-time performance reports to the Department.¹³ Part 234 implements Section 41708, requiring large U.S. certificated carriers to report various data related to flight performance in airline service quality performance reports (“ASQR”), which monitors on-time performance.¹⁴ For 2024, fourteen U.S. carriers are mandated to provide reports

¹² See Enhancing Passenger Protections III, 81 Fed. Reg. at 76,803.

¹³ 49 U.S.C. § 41708.

¹⁴ 14 CFR § 234.4.

based on their domestic scheduled passenger revenues.¹⁵ These carriers must file monthly reports detailing on-time performance, delays, cancellations, and their causes. This data contributes to the Department’s Air Travel Consumer Report (“ATCR”), which is “designed to assist consumers with information on the quality of services provided by the airlines”¹⁶ and can influence consumer choices. As the Department has recognized, “[b]ecause of the influence of the ATCR on consumer perception of carriers as well as its effect on the perception of carriers within the industry, it is vitally important that the information provided by these reports remains accurate.”¹⁷

For the on-time performance reports, delay and cancellation causes are reported under specific codes, including “Air Carrier,” “Extreme Weather,” “National Aviation System (NAS),” “Security,” and “Late Arriving Aircraft.”¹⁸ The Air Carrier code is defined for cancellations as “due to circumstances that were within the control of the air carrier (e.g., lack of flight crew, maintenance, etc.),” and is near identically defined for delays (excluding the examples).¹⁹

BTS, in its Technical Reporting Directive #31 (“BTS Directive #31”), provides further instruction on reporting delay and cancellation causes and – to guide air carriers’ reporting based on what BTS believes are within the control of the air carrier – lists examples of causes within the control of air carriers for reporting under the “Air Carrier” code.²⁰ These include aircraft cleaning,

¹⁵ See BTS Technical Reporting Directive 38, Reporting Air Carriers (Dec. 19, 2023), *available at* <https://www.bts.gov/explore-topics-and-geography/modes/aviation/number-38-technical-reporting-directive-reporting-air>.

¹⁶ See DOT, Air Travel Consumer Reports, *available at* <https://www.transportation.gov/individuals/aviation-consumer-protection/air-travel-consumer-reports>; DOT, Air Travel Tips (providing the ATCR as information for consumers to “protect [themselves] while traveling”) *available at* <https://www.transportation.gov/airconsumer/air-travel-tips>.

¹⁷ See Transparency of Airline Ancillary Fees and Other Consumer Protection Issues, 79 Fed. Reg. 29,970, 29,982 (May, 23 2014).

¹⁸ 14 CFR § 234.4. The “Late arriving aircraft” code is only available for delays, not cancellations.

¹⁹ *Id.*

²⁰ See BTS, Office of Airline Information, Technical Reporting Directive #31, On-Time Performance (Dec. 12, 2018), *available at* <https://www.bts.gov/topics/airlines-and-airports/number-31-technical-directive-time-reporting-effective-jan-1-2019>. Technical directives are BTS Accounting and Reporting Directives that “serve the reporting air carriers by providing clarity to the regulations.” See BTS, Accounting and Reporting Directives

hot brakes restriction, medical emergency, removal of an unruly passenger, gate congestion, maintenance issues, crew scheduling, and computer outages involving carrier equipment.²¹ This directive significantly influences how carriers track and report causes of delays and cancellations, which affects their on-time performance statistics.

Under the existing framework of the Department’s on-time performance reporting requirements, carriers are unable to delineate the cause of the delays and cancellations beyond the limited categories described above. This includes an inability to report delays and cancellations as caused by FAA ATC instructions. To rectify this issue, Congress, in Section 511, directed that BTS initiate a rulemaking within 60 days to revise and update Part 234.²² This revision would create a new cause of delay and cancellation category (or categories) to identify and track delays and cancellations resulting from FAA ATC instructions.²³ It also requires BTS to make any other changes to carry out Section 511 and then explicitly excludes certain causes from the “Air Carrier” code, such as aircraft cleaning due to the death of a passenger, damage from extreme weather or sabotage, and cybersecurity attacks when carriers comply with applicable regulations.²⁴

However, there is considerable overlap between the causes listed in Section 511 that *cannot* be attributed to an air carrier and those listed in BTS Directive #31 as examples that BTS attributes to air carriers, leading to the current data reported by air carriers to BTS containing misattribution of delays and cancellations as under the control of the carriers. For example, under BTS Directive #31, delays caused by the removal of unruly passengers or unscheduled maintenance due to

(Aug. 28, 2024) *available at* <https://www.bts.gov/accounting-reporting-directives>. They “provide more specific instructions . . . about the regulations because the information was too technical or lengthy to be included due to page limitations.” *Id.* Air carriers’ on-time performance reports *must* be submitted to BTS in the format specified in the technical directives issued by BTS’s Director of Airline Information. See 14 CFR § 1-8.

²¹ *Id.*

²² FAA Reauthorization Act of 2024 § 511(a).

²³ *Id.*

²⁴ *Id.*

airworthiness directives are classified as “Air Carrier” delays, unfairly attributing responsibility to the carriers despite that Congress has instructed that such causes are not to be attributable to the “Air Carrier” categories. Similarly, an aircraft having to be removed from service because of a hot brakes restriction due to a safety incident resulting in the use of emergency procedures is currently classified as an “Air Carrier” delay under BTS Directive #31, whereas under the mandate provided by Section 511, this would no longer be attributed to the carrier.

It is precisely to address these ambiguities and issues that Congress required BTS to undertake this rulemaking. With this petition, the Petitioners urge BTS to comply with the law and initiate a rulemaking to propose revisions to Part 234 in accordance with Section 511. By doing so, BTS can ensure that reporting requirements accurately reflect operational realities, provide consumers with transparent and reliable information, and prevent consumer misperceptions and unwarranted harm to airlines due to inaccurate reporting. The following sections will elaborate on the need for this rulemaking and the benefits it will bring to consumers and the aviation industry.

II. THIS PETITION FOR RULEMAKING IS CONSISTENT WITH THE LAW, PRECEDENT, AND DEPARTMENT POLICY, AND SHOULD BE IMMEDIATELY GRANTED

A. BTS Is Required to Issue a Rulemaking Pursuant to the FAA Act

First and foremost, BTS is legally obligated to comply with Section 511, which requires that “[n]ot later than 60 days after the date of enactment of this Act, the Director of the Bureau of Transportation Statistics shall initiate a rulemaking to revise section 234.4 of title 14, Code of Federal Regulations.” Given that it has been well over 150 days since the FAA Act was signed into law, BTS must act promptly to adhere to this congressional mandate and uphold the integrity of the regulatory and legislative systems. BTS is legally required to issue an NPRM here because

the modification of Part 234 mandated by Section 511 would be a legislative rule, and thus subject to notice and comment rulemaking under the APA.²⁵

BTS is statutorily required to now “initiate a rulemaking” to update and revise Part 234 by:

1. “[C]reat[ing] a new ‘cause of delay’ category (or categories) that identifies and tracks information on delays and cancellations of air carriers . . . that are due to instructions from the FAA Air Traffic Control System.”²⁶ This change will ensure that delays and cancellations caused by air traffic control instructions are accurately reported and not improperly attributed to airlines.

2. Excluding the causes of delay and cancellation listed in Section 511(b) from being classified as caused by air carriers. The Department must exclude the following specific causes mandated by Section 511 from being classified under the “Air Carrier” code to ensure accurate reporting:

- “Aircraft cleaning necessitated by the death of a passenger.”
- “Aircraft damage caused by extreme weather, foreign object debris, or sabotage.”
- “A baggage or cargo loading delay caused by an outage of a bag system not controlled by a carrier or its contractor.”
- “Cybersecurity attacks (provided the air carrier is in compliance with applicable cybersecurity regulations).”
- “A shutdown or system failure of government systems that directly affects the ability of an air carrier to safely conduct flights and is unexpected.”
- “Overheated brakes due to a safety incident resulting in the use of emergency procedures.”
- “Unscheduled maintenance, including in response to an airworthiness directive, manifesting outside a scheduled maintenance program that cannot be deferred or must be addressed before flight.”
- “An emergency that required medical attention through no fault of the carrier.”
- “The removal of an unruly passenger.”

²⁵ See *Chrysler Corp. v. Brown*, 441 U.S. 281, 303 (1979).

²⁶ See *supra* fn. 4.

- “An airport closure due to the presence of volcanic ash, wind, or wind shear.”

Importantly, Congress has explicitly charged BTS as the agency to lead and promulgate this rulemaking.²⁷ BTS, as “a policy-neutral, objective broker of statistical information on the use and performance of the transportation system, its contributions, and consequences,”²⁸ is uniquely positioned to execute and oversee this rulemaking that proposes revisions to Part 234 and is the agency with the requisite specialized technical expertise in transportation data collection and analysis. As demonstrated in BTS Directive #31, BTS has a long-standing history of managing and interpreting airline data, including on-time performance metrics and causes of delays and cancellations. BTS’s expertise allows for the development of a proposed rule that is compliant with legislative requirements and also practical for implementation by carriers, which will more effectively enhance the accuracy and consistency of data reporting, ultimately benefiting consumers, airlines, and policymakers alike. Congress’s decision in Section 511 to assign compliance with the law and responsibility for this rulemaking to BTS underscores the need for such specialized expertise to lead this effort. As such, it is BTS that must act in issuing an NPRM to comply with the FAA Act and clear congressional intent.

B. The BTS Rulemaking is Necessary to Ensure Accuracy in Reporting and Thereby Better Policymaking

In addition to being legally required, the BTS rulemaking is necessary from an accuracy and policy standpoint. Aviation policies and rulemakings based on faulty and inaccurate data are likely to be ineffective because they are not grounded in the actual operational conditions or issues

²⁷ *Connecticut Nat’l Bank v. Germain*, 503 U.S. 249, 112 S.Ct. 1146, 1149, 117 L.Ed.2d 391 (U.S.1992) (“[A] legislature says in a statute what it means and means in a statute what it says there.”).

²⁸ DOT, OST-R’s Programs (Dec. 21, 2017), *available at* <https://www.transportation.gov/administrations/assistant-secretary-research-and-technology/ost-rs-programs>.

that they aim to address. Such flaws can waste resources and fail to achieve the desired outcomes. The Department has noted its reliance on accurate data to make informed decisions and create effective policies.²⁹ And, for decades, Congress has ensured BTS plays an essential role in regards to that data and the Department’s decision-making process, requiring that BTS “ensure that the statistics compiled . . . are designed to support transportation decisionmaking by . . . the Federal Government,” and that it “continually improve . . . data collection methods of the Department to improve the accuracy and utility of transportation statistics.”³⁰ In fact, BTS describes itself as “the *preeminent* source on statistics on commercial aviation, . . . and transportation economics, and provides context to decision makers and the public for understanding statistics on transportation.”³¹ Thus, BTS must implement Section 511 and issue the NPRM to help ensure the Department’s goals of continued effective policymaking and regulation are met.

In promulgating Section 511, Congress recognized the significant importance of updating Part 234 to ensure greater clarity and transparency in airline reporting. Existing reporting requirements under Part 234 fail to consider the full scope of operational realities faced by carriers, leading to misattributions of delays and cancellations, and ultimately, flawed data. Today, certain causes of delays and cancellations that are due to instructions from the FAA ATC are outside the control of air carriers, but these causes remain miscategorized under the “Air Carrier” code. This misalignment not only conflicts with the intent of fair and accurate reporting but also contradicts the explicit directives outlined in Section 511.

²⁹ See Enhancing Passenger Protections III, 81 Fed. Reg. at 76,804.

³⁰ 49 U.S.C. § 6302(b)(3).

³¹ BTS, *About the Bureau of Transportation Statistics* (Feb. 26, 2019) available at <https://www.bts.gov/about-BTS>. See also DOT, OST-R’s Programs (Dec. 21, 2017) (“This office is the preeminent source of objective, credible, and timely transportation statistics that are the basis for critical policy and investment decision making by governments at every level, the private sector, and the general public.”) available at <https://www.transportation.gov/administrations/assistant-secretary-research-and-technology/ost-rs-programs>.

To address these discrepancies and further improve the Department's data collection methods to improve the accuracy and utility of transportation statistics pursuant to the Bureau's statutory duty,³² BTS should also propose to exclude additional causes of delay and cancellation from the "Air Carrier" code that are fundamentally not caused by the carriers and/or often caused by Acts of God or parties beyond the air carriers' direct control (including the U.S. government). These causes include, but are not limited to, the following:

- Aircraft cleaning necessitated by excessive bleeding, service animal soiling, extensive debris left by passengers;
- Awaiting arrival of connecting passengers or crew due to weather/national airspace system and local airport logistics;
- Awaiting alcohol test of crew if triggered by customer suspicion/accusation;
- Awaiting gate space due to congestion not within an air carrier's control;
- Gate returns due to national airspace system constraints;
- Baggage or cargo loading delay caused by ramp conditions, late connecting bags resulting from an FAA ATC delay, airport infrastructure failure;
- Cabin servicing or catering delays due to weather;
- Computer outages of vendors or airport-supplied communication use equipment issues (*e.g.*, common-use gates and terminals, power outage, lighting);
- Crew legality not caused by an air carrier, including a delay of a crew replacement necessitated by a non-controllable event, and pilot or flight attendant rest related to weather, FAA ATC or local airport logistics;
- Unscheduled engineering/safety inspection;
- Public health issues;
- Fueling delays related to weather or airport fueling infrastructure issues;
- Government forms are properly completed by air carrier, but government systems are offline and thus unable to receive carrier submission;
- Late mail from U.S. Postal Service;
- Ramp service from third-party contractor (*i.e.*, servicing potable water, lavatory servicing, shortage of third-party ramp equipment); and
- Snow removal or aircraft deicing when extreme weather prevails despite adequate carrier resources; or snow removal on ramp.

³² See *supra* fn. 2.

By proposing to exclude the above non-airline related causes of delay and cancellation from the “Air Carrier” code, the requested regulation will provide a more fair and complete representation of airline performance metrics and lead to greater transparency for consumers.

In addition to updating Part 234 as described above, BTS Directive #31 also requires updating to align it with congressional intent. Currently, the directive incorrectly includes several of the above causes as examples of delays and cancellations within the control of air carriers. This causes inaccurate reporting of data which is then disseminated to the general public. To resolve this, the directive must be updated to reflect the changes mandated by Section 511, ensuring that airlines receive clear and accurate guidance consistent with the revised regulations. Addressing the regulatory ambiguities and inconsistencies is crucial for accurate data. The overlap between the causes listed in Section 511 and those in BTS Directive #31 will lead to inconsistencies in delay and cancellation cause reporting. Accordingly, delays and cancellations beyond the control of carriers are currently and frequently misclassified as “Air Carrier” delays or cancellations, distorting performance statistics and unfairly penalizing airlines for events outside their control. For example, on the day of the Federal Aviation Administration’s Notice to Air Missions system outage in 2023 (a cause excluded from the “Air Carrier” delay and cancellation categories by Section 511), airlines reported double the number of “Air Carrier”-categorized nationwide cancellations and nearly double the number of “Air Carrier”-categorized nationwide delays.³³ Implementing an updated rule would clarify these ambiguities, ensuring that delays and cancellations are accurately categorized and that carriers are not held responsible for factors beyond their influence.

³³ In accordance with BTS Airline Service Quality Performance data and when compared to the daily average “Air Carrier”-categorized cancellations and delays three days prior to and following the outage. For the same event, the number of “Air Carrier”-categorized cancellations in Texas quadrupled and delays were more than doubled.

BTS Directive #31 provides that the list of Air Carrier delays “should be used as a guide for the type of occurrences that should be reported as an air carrier delay and/or cancellation.”³⁴ The BTS directive explicitly notes that the Department welcomes comments regarding additions and deletions.³⁵ In addition to those causes listed in Section 511 of the FAA Act, which can no longer be attributable to an “Air Carrier” delay and cancellation and codified in Part 234, the Petitioners believe BTS Directive #31 and Part 234 must be updated to include the above causes of delay and cancellation as non-attributable to carriers.

In summary, without BTS acting to revise and update Part 234 to reflect accurate information on the causes of delays and cancellations, the Department, the industry, and the flying public will lack the accurate data needed to formulate policies, improve operations, and make informed consumer choices.

C. The Rulemaking is Necessary for Consumer, Operational, Reputational, and Commercial Reasons

1. *The BTS Rulemaking to Align Part 234 with Operational Realities Will Lead to Enhanced Service for Consumers*

From an operational perspective, airlines rely on accurate delay and cancellation data as a tool to continue to optimize their operations and enhance service for consumers. The Department has recognized that ATCR records incentivize carriers “to universally improve performance quality.”³⁶ Accordingly, better understanding the causes of delays and cancellations – via a greater number of categories and certain causes being excluded from the air carrier category – will enable airlines to focus operational improvements and efforts where they can have the most impact,

³⁴ See *supra* fn. 20, BTS Technical Reporting Directive #31 at 27.

³⁵ *Id.*

³⁶ See Enhancing Passenger Protections III, 81 Fed. Reg. at 76,809.

allocate resources effectively, improve scheduling, and enhance overall operational efficiencies. This will lead to a more efficient air transportation system for consumers.

Absent the BTS rulemaking as requested herein, misclassification of delays and cancellations and improper attribution of the causes to airlines will continue to obscure the actual issues that need to be addressed, hindering efforts to improve service quality and operational reliability. A BTS rulemaking to update and align causes of delay with Section 511 will result in increased accuracy of data, minimize misattribution to carriers for delays and cancellations outside of their control, and ensure that consumers base their decisions on accurate data.

2. *The BTS Rulemaking Will Prevent Continued Harm to Industry*

The reputational impact of inaccurate reporting, which makes its way into the hands of consumers via the Department's ATCR, is significant. The requested BTS rulemaking will alleviate this issue and allow for more accurate decision-making on the part of consumers.

The Department has historically acknowledged the importance of accuracy in the reporting on delays and cancellations and the reputational harm it can have on an airline. In an NPRM issued by the Department on May 21, 2016, regarding proposed changes to Part 234, the Department acknowledged that results of the reports published by the Department based on the statistics gathered are "often cited in news reports with attention grabbing headlines such as 'The Best and Worst Airlines of the U.S.'"³⁷ The Department went further to concede that "...being named as one of 'the best' or 'the worst' airlines in the country in a national news outlet does have a significant impact on a carrier's image and brand identity and either affords the carrier a great marketing tool or causes some consumers to avoid selecting that carrier's flights when making

³⁷ See Transparency of Airline Ancillary Fees and Other Consumer Protection Issues, 79 Fed. Reg. at 29,982.

purchase decisions”³⁸ These reputational impacts continue today and will continue based on incorrect data until BTS accomplishes this rulemaking.³⁹

Airlines are often attributed responsibility for delays and cancellations beyond their control, leading to eroded consumer trust and unfair competitive disadvantages. Passengers may unjustly lose confidence in carriers perceived as unreliable, affecting market share and profitability. The reputational harm for misattributed delays is amplified by the existence of digital and social media. In today’s digital age, customers are rapidly sharing their experiences and the perceptions of others across social platforms. Misattributed delays can quickly lead to viral negative content, exponentially increasing reputational damage. By ensuring that delay and cancellation causes are accurately reported, the new rule would help maintain consumer trust and allow airlines to compete fairly based on factors within their control.

The harm for airlines can also extend to investor relations, as negative public perception

³⁸ *Id.*

³⁹ See e.g., Andrea Guzman, *DOT ranks most and least reliable US airlines during peak summer travel*, Chron (Sept. 30, 2024) (“Meanwhile, Fort Worth-based American Airlines ranked . . . among the lowest when it comes to on-time arrival The DOT says it released this data to inform consumers about the quality of service the airlines provide.”) available at <https://www.chron.com/culture/article/airlines-most-cancelations-19804044.php>; American Journal of Transportation, *Air Travel Consumer Report: July 2024 Numbers* (Sept. 27, 2024) (relying on the ATCR and noting that American Airlines Network was one of the “Lowest Marketing Carrier On-Time Arrival Rates July” and that Delta Air Lines Network was one of the “Highest Marketing Carrier Rates of Cancelled Flights July 2024”) available at <https://www.ajot.com/news/air-travel-consumer-report-july-2024-numbers>; Michael Doran, *Hawaiian Airlines is US DOT’s Top On-Time Carrier*, Simple Flying (Sept. 5, 2024) (citing the ATCR, which bases its on-time performance data on BTS data, and comparing airlines, claiming that JetBlue Airways was one of the “least punctual” for June 2024) available at <https://simpleflying.com/hawaiian-airlines-us-dots-top-on-time/>; David Slotnick, *The best airlines in the US for 2024*, THE POINTS GUY (June 11, 2024) (citing DOT timeliness and cancellation data) available at <https://thepointsguy.com/news/best-us-airlines-2024/>; Alex Ledsom, *The Best U.S. Airlines of 2024, Ranked in the Points Guy’s New Report* (June 12, 2024) (noting Delta’s timeliness and referencing DOT’s data) available at <https://www.forbes.com/sites/alexledsom/2024/06/12/the-best-us-airlines-of-2024-ranked-in-the-points-guys-new-report/>; JT Genter, *Which Airlines is the Most Reliable*, NerdWallet.com (Jan. 12, 2024) (citing BTS data regarding on-time percentage and cancellation rates) available at <https://www.nerdwallet.com/article/travel/most-reliable-airlines>; Alison Fox, *This Airline Was the Most Punctual U.S. Carrier in 2022, According to the DOT*, Travel+Leisure (Mar. 17, 2023) available at <https://www.travelandleisure.com/most-punctual-us-airline-2022-dot-report-7368253> (noting a drop to Southwest Airlines’ on-time rate).

can affect stock prices and an airline's ability to raise capital.⁴⁰ Misattributed delays and cancellations can cause shareholders to lose confidence in management's ability to operate efficiently, leading to decreased shareholder value and potential challenges in securing future investments. As such, these amendments would also ensure that shareholders have accurate information from which they can base their investment decisions.

Furthermore, as the Department has recognized, airlines use on-time performance data to advertise their services and differentiate themselves in a competitive market.⁴¹ Misattributed delays and cancellations can skew performance statistics, potentially undermining the credibility of legitimate advertising claims and hindering airlines' ability to compete fairly. Accurate reporting reinforces marketing efforts that are based on truthful performance representations, allowing consumers to make informed choices.

Additionally, the Department uses the data airlines submit with respect to delays and cancellations under Part 234 to publish the ATCR on a monthly basis. As noted above, the Department states that "[t]he report is designed to assist consumers with information on the quality of services provided by the airlines."⁴² The report cites "Air Carrier Delay" to mean the cause of the cancellation or delay was due to circumstances within the airline's control (e.g. maintenance or crew problems, etc.).⁴³ Not only is this report inaccurate, especially without the requested

⁴⁰ See e.g., *Long flight delays drive down airline stocks-study*, Reuters (Nov. 24, 2009) ("[A]irlines stocks tend to drop sharply when flights are delayed two hours or more or are canceled") available at <https://www.reuters.com/article/markets/long-flight-delays-drive-down-airline-stocks-study-idUSN24303527/>.

⁴¹ See e.g., Hawaiian Airlines, *Hawaiian Airlines is Most Punctual U.S. Airline for 18th Consecutive Year* (Mar. 8, 2022) (citing the ATCR) available at <https://newsroom.hawaiianairlines.com/releases/hawaiian-airlines-is-most-punctual-u-s-airline-for-18th-consecutive-year>; Delta Professional, Trip-Level Reliability Report (using on-time performance to market to business travel) available at <https://pro.delta.com/content/corporate/us/en/delta-business/the-delta-business-difference/trip-fulfillment-factor-and-trip-on-time-factor.html>.

⁴² DOT, Air Travel Consumer Reports, available at <https://www.transportation.gov/individuals/aviation-consumer-protection/air-travel-consumer-reports>.

⁴³ Air Travel Consumer Report, Office of Aviation Consumer Protection (Sept. 2024), available at <https://www.transportation.gov/sites/dot.gov/files/2024-09/September%202024%20ATCR.pdf>. September 2024 ATCR.pdf (transportation.gov).

rulemaking, but it also creates a reputational disadvantage for carriers because it does not properly define or reflect what an air carrier delay or cancellation is under the Department’s regulations and BTS’s guidance when the cause is outside of the carrier’s control.

For example, in the September 2024 ATCR, 62,081 delays in July 2024 were publicly attributed to “Air Carrier” delays by the marketing carrier, compared to 44,756 attributed to “National Aviation System” delays.⁴⁴ Although many of those “Air Carrier” delays could be attributed to the “National Aviation System” delays, they were inaccurately attributed as failures of the carriers in a public report published specifically to assist consumers in making informed decisions on which airline they should utilize for their personal or business travel. This results in not only a lack of trust in specific airlines but also a general negative attitude that is harmful for the transportation industry as a whole. A report that inaccurately and over-attributes nearly 10%⁴⁵ of delays as the fault of airlines breeds distrust and resentment in the ability of airlines to operate efficiently for the benefit of consumers.

3. The BTS Rulemaking is Necessary to Ensure Costs in Airline Reporting are Effective and Worthwhile

The economic and operational benefits of accurate delay reporting are substantial. The reporting airlines spend significant financial resources to be able to accurately collect and report the data required by Part 234, including recurrent operating costs to collect and report data on a month basis and additional programming costs to establish, maintain, and improve the necessary data systems.⁴⁶ Correctly categorizing delay and cancellation causes can reduce unnecessary costs associated with misclassified delays and cancellations, such as unwarranted penalties or voluntary commitments to customers. It also enables airlines to optimize operational efficiency by

⁴⁴ *Id.* at 28.

⁴⁵ *Id.* at 30, table 7B.

⁴⁶ One A4A member reported that the annual recurring costs exceed \$300,000.

understanding true delay causes, allowing for better resource allocation and scheduling. This not only benefits the airlines, but also enhances the overall efficiency of the air transportation system, leading to fewer delays and cancellations for passengers. Furthermore, misclassified delays and cancellations can lead to unjust penalties, consumer complaints and claims, and increased operational costs for airlines. Correcting the classification ensures carriers are not burdened with costs associated with events beyond their control, allowing them to allocate resources more effectively.

D. The Petition and Requested BTS Rulemaking is in the Public Interest

The BTS rulemaking to update and align causes of delay and cancellation with Section 511 is in the public interest because it will result in increased accuracy of data, minimize misattribution to carriers for delays and cancellations outside of their control, and ensure consumers base their decisions on data that is accurate. The Department has consistently recognized the significance of accurate reporting data for consumers as being in the public interest as “it will provide consumers with more information to make decisions about air transportation purchases.”⁴⁷ In the context of enhancing reporting requirements for code-share operations, the Department was in favor of increased reporting and placed heavy emphasis on the accuracy of such data reporting and collection to provide the public with a clear picture of performance by airlines, “provide consumers with more meaningful information on which to base their purchasing decisions,” and “prevent potential consumer confusion.”⁴⁸

As the Department found in these prior contexts when increased reporting was required to capture additional flight operations (*e.g.*, codeshare or smaller carriers) and thereby greater public information, here, where the current provision leads to inaccuracy and misattribution of fault, it is

⁴⁷ See Enhancing Passenger Protections III, 81 Fed. Reg. at 76,802.

⁴⁸ *Id.* at 76,811.

even more important that BTS acts immediately to rectify the issue. If, as the Department believes, this data is critical to consumer decision-making, then it follows that accurate reporting of delay causes will be equally, if not more, important to ensure the consumer's decision is based on the right information. The BTS rulemaking as requested will lead to increased transparency and ultimately improve consumer decisions when selecting carriers. Transparency into the factors that may affect their travel plans empowers passengers and enhances their overall travel experience, as passengers will have access to information that will provide clarity on events beyond the carrier's control.

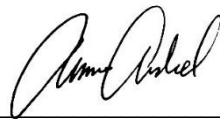
Additionally, given that the Department relies on this data in defining priorities for critical policymaking and rulemaking initiatives, as well as its legislative proposals and budgeting considerations, the significance of reliable data to address potential issues affecting air travel more broadly is paramount and in the public interest. The requested BTS rulemaking promotes accurate categorization of delay and cancellation causes, which in turn supports effective regulatory and infrastructure planning, ultimately benefiting the public by improving the efficiency and reliability of air transportation. Finally, accurate data will allow for meaningful performance comparisons among carriers, encouraging airlines to improve their services and fostering healthy competition that leads to enhanced quality across the industry. BTS's action in line with the FAA Act to issue the rulemaking will be a step in the right direction to address these numerous problems with the current reporting regime.

CONCLUSION

For the reasons stated herein, the Petitioners respectfully requests that the Department and BTS grant this petition for rulemaking and issue the NPRM immediately to propose revisions and updates to Part 234 reporting requirements in accordance with Section 511, including creation of

a new categories for delays and cancellations that are due to instructions from FAA ATC, removal of certain causes of delays and cancellations from the “Air Carrier” code, as well as updating BTS Directive #31 accordingly. By revising Part 234 and updating BTS Directive #31, the Department will resolve existing inconsistencies, align the regulation with congressional intent, and promote a fair and transparent reporting system in the public interest. These changes are essential for accurately representing airline performance, empowering the flying public with reliable information, and ultimately optimizing and enhancing service in the aviation industry.

Respectfully Submitted,



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October 18, 2024

**COMMENTS OF
AIRLINES FOR AMERICA
(DOT-OST-2014-0031)**

Appendix B

**DEPARTMENT OF TRANSPORTATION
BUREAU OF TRANSPORTATION STATISTICS
OFFICE OF AIRLINE INFORMATION**

**TITLE 14 CODE OF FEDERAL REGULATIONS PARTS 234
TECHNICAL REPORTING DIRECTIVE #39 – ON-TIME PERFORMANCE**

ISSUE DATE: December 3, 2024

EFFECTIVE DATE: January 1, 2025

The Bureau of Transportation Statistics (BTS) is issuing this Technical Reporting Directive to update the lists of reporting air carriers and reportable airports, and to provide instructions for air carriers to report On-Time Performance data for codeshare flights that they market. All other reporting directions remain unchanged from those provided in Technical Reporting Directive # 31.

- I. Introduction
- II. Applicability
- III. Definitions
 - 1. Definitions
 - 2. Data Requirements for DOT On-Time Disclosure Reports
 - 3. Report Format and Instructions for On-time Disclosure Reports
 - 4. Data Requirements and Instructions for CRS Disclosure
 - 5. Reporting the Causes of Canceled and Delayed Flights
 - 6. Security Screening
 - 7. Gate Returns including Canceled Flights
 - 8. Diversions
 - 9. Procedural Statement
- IV. Submission of Reports
- V. Record Retention

I. Introduction

Part 234 of the U.S. Department of Transportation's (Department's) Regulations, *Airline Service Quality Performance Reports (ASQP)* requires certain U.S. air carriers to submit scheduled flight performance data and mishandled-baggage information to the Department, and to provide on-time performance codes to Computer Reservation System (CRS) vendors. These data are used to monitor each carrier's on-time performance and baggage handling, and to provide information to consumers. The scheduled flight performance data are filed electronically. The mishandled-baggage information is submitted as a one-page report with the required certification and transmittal letter. The on-time performance codes are filed with the Department and supplied to CRS vendors in accordance with the procedures set forth in § 234.8 and 234.9 and in this Technical Directive.

II. Applicability

1. Each reporting air carrier providing scheduled domestic passenger operations at a reportable airport will file “On-Time Flight Performance data” if its share of the industry's total domestic scheduled-service passenger revenues exceeds half of one percent (0.005), based on Form 41 data for the 12 months ended June 30. Each year the Office of Airline Information updates the list of reporting air carriers.

2. For calendar year 2024, 14 air carriers reached the reporting threshold of \$649,589,671 service passenger revenues) and one carrier to report voluntary. The revenues were measured for the 12-month period ending June 30, 2024. The reporting carriers for calendar year 2025 data are:

REPORTING AIR CARRIERS

Alaska
Allegiant
American
Delta
Envoy
Frontier
Hawaiian
JetBlue
PSA
Republic
SkyWest
Southwest
Spirit
United

3. The reportable airports with respect to which data must be submitted to the Department are those large, medium, small, and non-hub airports as defined in 49 U.S.C. 47102. Airports can be accessed through the FAA at the link:

https://www.faa.gov/airports/planning_capacity/passenger_allcargo_stats/passenger/ ¹

4. The reportable flight operations for which data must be submitted to the Department are (1) all scheduled nonstop domestic passenger operations, including a mechanically delayed flight, to or from any reportable airport, operated by a reporting air carrier to or from any reportable airport; and (2) all scheduled nonstop domestic passenger operations, including a mechanically delayed flight, to or from any reportable airport, operated by a codeshare partner of the reporting carrier's, and marketed under only one U.S. carrier's (the reporting carrier's) code. **However, non-reportable passenger flights that experience over 3-hour tarmac times at U.S. airports that are not reported in Part 234 are subject to Part 244 reporting requirements, See Accounting and Reporting Directive No. 331:**

¹ For calendar year 2019, the reportable airports are the large, medium, small, and non-hub airports that are included in the 2019-2023 National Plan of Integrated Airport Systems (NPIAS) transmitted to Congress on September 26, 2018.

5. Any carrier not included in paragraph II.2 of this Technical Directive may voluntarily become a reporting carrier and submit Form 234 for its reportable flights for every nonstop domestic passenger flight it holds out to the public pursuant to a published schedule, provided that the Director, Office of Airline Information (OAI) is advised beforehand. Such voluntary data must be submitted for a minimum of 12 consecutive months. The voluntary submission must meet the exact reporting specifications set forth in this directive. Volunteering carriers that wish to discontinue reporting after one year must advise the Director, OAI, a minimum of 30 days before discontinuance, so that the necessary changes can be made to the Department's data programs.

Changes in reporting air carriers will be made as necessary by the Director, OAI under authority delegated in § 385.19 of the Department's regulations.

III. Reporting of On-Time Performance

1. Definitions

Definitions used in this directive include those in § 234.2 as well as the following:

(1). **'CRS'** means a computerized reservation system offered to subscribers for use in the United States that contains information about schedules, fares, rules or availability of carriers and provides subscribers with the ability to make reservations if it charges any carrier a fee for system services. It does not mean direct connections between a ticket agent and the internal reservations systems of an individual carrier.

(2). **'Domestic operation'** means a flight operation within or between the 50 states of the United States, the District of Columbia, the Commonwealth of Puerto Rico and the U.S. Virgin Islands, and the territories and possessions of the United States. Transborder operations are not included.

(3). **'Flight'** for purposes of the data to be reported to the Department, means one or more scheduled nonstop operations identified by a specific flight number in conjunction with a specific origin-destination city-pair designation; e.g., flight 102 DCA-ATL-MIA includes two separate flights (DCA-ATL, ATL-MIA).

(4). **'Flight for the purposes of CRS disclosure'**, means nonstop operations as defined above, plus scheduled one-stop and multi-stop operations identified by a specific flight number in conjunction with a specific origin-destination city-pair designation; e.g., flight 102 DCA-ATL-MIA includes three separate flights for purposes of CRS disclosure (DCA-ATL, ATL-MIA, DCA-MIA).

(5). **'Flight operation'** means a specific operation of a given flight on a given day, e.g., if flight 102 DCA-ATL operated daily during the month of July, then it had 31 flight operations in July.

(6). **'Gate arrival time'** is the instance when the pilot sets the aircraft parking brake after arriving at the airport gate or passenger unloading area. If the parking brake is not set, record the time for the opening of the passenger door. Also, carriers using a Docking Guidance System (DGS) may record the official “gate-arrival time” when the aircraft is stopped at the appropriate parking mark.

(7). **'Gate departure time'** is the instance when the pilot releases the aircraft parking brake after passengers have loaded and aircraft doors have been closed. In cases where the flight returned to the departure gate before wheels-off time and departed a second time, report the last gate departure time before wheels-off time. In cases of an air return, report the last gate departure time before the gate return. If passengers were boarded without the parking brake being set, record the time that the passenger door was closed. Also, carriers using a Docking Guidance System may record the official “gate-departure time” based on aircraft movement. For example, one DGS records gate departure time when the aircraft moves more than 1 meter from the appropriate parking mark within 15 seconds. Fifteen seconds is then subtracted from the recorded time to obtain the appropriate out time.

(8). **'Gate Return'** aircraft leaves the boarding gate only to return to a gate for the purpose of allowing passengers to de-board the aircraft.

2. Data Requirements for DOT On-Time Disclosure Reports

(1). Each reporting air carrier will file Form 234 for each calendar month. Each report will include all nonstop domestic passenger scheduled flight operation operated or marketed by the reporting carrier that serve one or more of the reportable airports.

(2). For each nonstop flight operation serving a reportable airport, the following data elements will be reported²:

- | | |
|----------------|--|
| A, A1, A2, A3. | Carrier Code(s) (Two Letter Code as set forth in section III-3b (2) of this directive) |
| B, B1, B2. B3. | Flight Number(s) (as set forth in section III-3b (2) of this directive) |
| C. | Departure Airport (Three-Letter Code) |
| D. | Arrival Airport (Three-Letter Code) |
| E. | Date of Flight Operation (Year/Month/Day) |
| F. | Day of Week of this Flight Operation (Monday = 1...Sunday = 7) |
| G. | Scheduled Departure Time as Shown in the Official Airline Guide (OAG) Pursuant to § 234.4(a)(4) |
| H. | Scheduled Departure Time as Shown in CRS Selected by the Carrier as its Data Source Pursuant to § 234.4(a)(5) |
| I. | Gate Departure Time (Actual) in Local Time (For gate-returns, and air returns record the last time away from gate before wheels-off time.) |
| J. | Scheduled Arrival Time as Shown in the OAG |
| K. | Scheduled Arrival Time as Shown in CRS |

² For the purposes of forms 3A and 3B in Section III.3.b.(2) of this document, marketing carriers following the July 2017 Office of Aviation Enforcement and Proceedings (OAEP) Enforcement Policy must provide schedule information related to the originally scheduled flight that was not operated and subject to the swap in the specific fields detailed in the footnotes to forms 3A and 3B. (See footnotes 8 and 10)

- L. Gate Arrival Time (Actual) in Local Time (Complete this field for all flights that reach their scheduled destination airport – otherwise, report NO data between the commas separating the fields)
- M. Difference in Minutes between OAG and Scheduled Departure Time: G minus H
- N. Difference in Minutes between OAG and Scheduled Arrival Time: J minus K
- O. Scheduled Elapsed Time per CRS in Minutes: K minus H
- P. Actual Gate to Gate Time in Minutes: L minus I (Complete this field for all flights that reach their scheduled destination airport – otherwise, report NO data between the commas separating the fields)
- Q. Departure Delay (Difference in Minutes Between Actual Departure Time and CRS Scheduled Departure Time): I minus H
- R. Arrival Delay (Difference in Minutes between Actual Arrival Time and CRS Scheduled Arrival Time): L minus K (Complete this field for all flights that reach their scheduled destination airport – otherwise, report NO data between the commas separating the fields)
- S. Elapsed Time Difference (Difference in Minutes between Actual Elapsed Time and CRS Scheduled Elapsed Time): P minus O (Complete this field for all flights that reach their scheduled destination airport – otherwise, report NO data between the commas separating the fields)
- T. Wheels-Off Time (Actual) in Local Time – otherwise; report NO data between the commas separating the fields
- U. Wheels-On Time (Actual) in Local Time (Complete this field for all flights that reach their scheduled destination airport – otherwise, report NO data between the commas separating the fields)
- V. Aircraft Tail Number (It is the Aircraft Tail Number with the Gate Departure Time populated in field I – otherwise, report NO data between the commas separating the fields)
- W. Cancellation Code – otherwise, report NO data between the commas separating the fields
- X. Minutes late for delay code E – otherwise, report NO data between the commas separating the fields
- Y. Minutes late for delay code F – otherwise, report NO data between the commas separating the fields
- Z. Minutes late for delay code G – otherwise, report NO data between the commas separating the fields
- AA. Minutes late for delay code H – otherwise, report NO data between the commas separating the fields
- AB. Minutes late for delay code I – otherwise, report NO data between the commas separating the fields
- AC. First Gate Departure Time at Origin Airport (For Gate returns and canceled flights – otherwise, report NO data between the commas separating the fields)
- AD. Total Ground Time Away from Gate (Report only flights that experience gate returns at the origin airport, including canceled flights – actual

	minutes. Do not include the time from last gate-departure to wheels-off – otherwise; report NO data between the commas separating the fields)
AE.	Longest Time Away from Gate for Gate Return or Canceled Flight (Do not include the time from last gate-departure to wheels-off – otherwise, report NO data between the commas separating the fields)
AF.	Number of landings at Diverted Airports (Maximum of 5 diverted landings, the # 9 signifies an air return where the flight was ultimately canceled – otherwise, report NO data between the commas separating the fields)
AG.	Three letter Code of Airport where Diverted Flight Landed – otherwise, report NO data between the commas separating the fields
AH.	Wheels-on Time at Diverted Airport – otherwise, report NO data between the commas separating the fields
AI.	Total Time Away from Gate at Diverted Airport – otherwise, report NO data between the commas separating the fields
AJ.	Longest Time Away from Gate at Diverted Airport – otherwise, report NO data between the commas separating the fields
AK.	Wheels-off Time at Diverted Airport AG Three letter Code of Airport where Diverted Flight Landed – otherwise, report NO data between the commas separating the fields
AL.	Aircraft Tail Number (the Aircraft with Wheels-off Time populated in field AK – otherwise, report NO data between the commas separating the fields)
AM.	Three letter Code of Airport where Diverted Flight Landed – otherwise, report NO data between the commas separating the fields
AN.	Wheels-on Time at Diverted Airport – otherwise; report NO data between the commas separating the fields
AO.	Total Time Away from Gate at Diverted Airport – otherwise, report NO data between the commas separating the fields
AP.	Longest Time Away from Gate at Diverted Airport – otherwise, report NO data between the commas separating the fields
AQ.	Wheels-off Time at Diverted Airport AM Three letter Code of Airport where Diverted Flight Landed – otherwise, report NO data between the commas separating the fields
AR.	Aircraft Tail Number (the Aircraft with Wheels-off Time populated in field AQ – otherwise, report NO data between the commas separating the fields)
AS.	Three letter Code of Airport where Diverted Flight Landed – otherwise, report NO data between the commas separating the fields
AT.	Wheels-on Time at Diverted Airport – otherwise, report NO data between the commas separating the fields
AU.	Total Time Away from Gate at Diverted Airport – otherwise, report NO data between the commas separating the fields
AV.	Longest Time Away from Gate at Diverted Airport – otherwise, report NO data between the commas separating the fields
AW.	Wheels-off Time at Diverted Airport – otherwise, report NO data between the commas separating the fields

AX.	Aircraft Tail Number (the Aircraft with Wheels-off Time populated in field AW – otherwise, report NO data between the commas separating the fields)
AY.	Three letter Code of Airport where Diverted Flight Landed – otherwise, report NO data between the commas separating the fields
AZ.	Wheels-on Time at Diverted Airport – otherwise; report NO data between the commas separating the fields
BA.	Total Time Away from Gate at Diverted Airport – otherwise, report NO data between the commas separating the fields
BB.	Longest Time Away from Gate at Diverted Airport – otherwise, report NO data between the commas separating the fields
BC.	Wheels-off Time at Diverted Airport – otherwise, report NO data between the commas separating the fields
BD.	Aircraft Tail Number (the Aircraft with Wheels-off Time populated in field BC – otherwise, report NO data between the commas separating the fields)
BE.	Three letter Code of Airport where Diverted Flight Landed – otherwise, report NO data between the commas separating the fields
BF.	Wheels-on Time at Diverted Airport – otherwise, report NO data between the commas separating the fields
BG.	Total Time Away from Gate at Diverted Airport – otherwise, report NO data between the commas separating the fields
BH.	Longest Time Away from Gate at Diverted Airport – otherwise, report NO data between the commas separating the fields
BI.	Wheels-off Time at Diverted Airport (populate the last “Wheels-off Time at Diverted Airport” field only in cases where the diverted flight reached the final destination of the scheduled destination airport – otherwise, report NO data between the commas separating the fields)
BJ.	Aircraft Tail Number (populate this field if Wheels-off Time is populated in field BI – otherwise, report NO data between the commas separating the fields)

CANCELLATION CODES

A-Carrier Caused
B-Weather
C-National Aviation System
D-Security

DELAY CODES

E-Carrier Caused
F-Weather
G-National Aviation System
H-Security
I-Late Arriving Aircraft

(3). The data format for the elements listed in paragraph 2 above will comply exactly with either one of two flight record field specifications set forth in the following section “3.a.(18) Reporting Numeric Data.”

3.a. Report Format and Instructions for On-Time Disclosure Reports.

(1). All scheduled and actual arrival and departure times will be reported in local time using a 24-hour clock; e.g., 3:15 p.m. will be 1515, midnight is 2400, and one minute after midnight is 0001. In using local time, the reporting carrier must adjust for time zone differences in computing data elements O, P, and S.

(2). Times should be reported in whole minutes; e.g., two hours equals 120 minutes.

(3). Flight operations that begin and end in different months will be reported in the month in which they begin.

(4). Extra-section³, nonscheduled and charter flights will not be reported **in Part 234 but are subject to the reporting requirements of Part 244, See Accounting and Reporting Directive No. 303A:**

<https://www.bts.gov/topics/airlines-and-airports/accounting-and-reporting-directives>

(5). **Gate Returns are reported by:**

Entering the time of the last gate departure before wheels-off time in field I Gate Departure Time;

Entering the time of the first gate departure in field AC First Gate Departure Time at Origin Airport;

Entering the appropriate minutes for AD Total Time Away from Gate and entering the appropriate minutes for AE Longest Time Away from Gate.

Note: Carriers are not required to submit data on “gate returns” of 5 minutes or less.

(6). **Canceled Flight information will be incorporated in the appropriate fields⁴ by:**

Entering NO data between the commas separating the fields in the data field I (Gate Departure Time), if the flight is canceled after gate departure, record the appropriate gate departure time in Field I;

Entering NO data between the commas separating the fields in data field L (Gate Arrival Time);

Entering NO data between the commas separating the fields in data field T (Wheels-Off Time), if the flight is canceled after an air return to the origin airport, record the appropriate wheels-off time in Field T, record a 9 in Field AF and complete Fields AG Three Letter Code of Airport of Diverted Airport (in this case the origin airport), AH Wheels-on Time at Diverted Airport, AI Total Time Away from Gate at Diverted Airport, and AJ Longest Time Away from Gate at Diverted Airport;

³ A marketing carrier following the July 2017 OAEP Enforcement Policy must report using Form 3A a flight that meets the definition of “extra-section flight” in 14 CFR 234.4 that is operated due to a Codeshare Swap (See Attachment 1: Flow Chart)

⁴ A marketing carrier following the July 2017 OAEP Enforcement Policy would not submit a Form 234 for a flight operation that was cancelled (and that did not leave the gate) and that was the subject of a Codeshare Swap so long as the carrier meets the conditions of the policy (See Attachment 1: Flow Chart)

and entering NO data between the commas separating the fields in data field U (Wheels-On Time).

The aircraft tail number must be reported for canceled flights; however, when a flight has been canceled before a specific aircraft has been assigned to that flight, you would enter NO data between the commas separating the fields in field V (Aircraft Tail Number).

The total number of canceled flights in a month, equal the number of flights with blanks in Field T (Wheels-off Time) plus the number of flights with a 9 reported in Field AF (Number of Diverted Landings).

(7). For flights that are canceled after ground gate return:

You would also enter the appropriate times in Fields AC First Gate Departure Time at Origin Airport, AD Total Time Away from Gate, and AE Longest Time Away from Gate, and Field Q Departure Delay Time.

(8). Information on flights, which operated but were diverted to an alternate destination, will be incorporated in the appropriate flight record for the diverted flight operation by:

Entering the number of diverted landings in field AF Number of Diverted Landings (maximum of 5 diversions);

Entering NO data between the commas separating the fields in fields L, P, R, S, U for all the diverted flights that are not reached in the scheduled destination;

Entering the three-letter code of the diverted airport in field AG Three Letter Code of Diverted Airport;

Entering the wheels-on time in field AH Wheels-on Time at Diverted Airport;

Entering the appropriate minutes in field AI Total Time Away from Gate at Diverted Airport;

Entering the appropriate minutes in field AJ Longest Time Away from Gate at Diverted Airport;

Entering the wheels-off time at Diverted Airport, AK Wheels-off Time at Diverted Airport;

Entering the aircraft tail number in Field AL Aircraft Tail Number; and entering the appropriate data in fields L Gate Arrival Time, P Actual Gate-to-Gate Time, R Arrival Delay Time, S Elapsed Time Difference, and U Wheels-On Time when a diverted flight reaches its scheduled destination.

(9). Air Return – Flight not cancelled

Treat as a diverted flight by:

Entering the number of diverted landings in field AF Number of Diverted Landings (If carrier experienced one air return, then continued to its final destination, there would be 1 diverted landing).

Entering the three-letter code of the diverted airport (in this case the origin airport code) in field AG Three Letter Code of Diverted Airport;

Entering the wheels-on time in field AH Wheels-on Time at Diverted Airport;

Entering the appropriate minutes in field AI Total Time Away from Gate at Diverted Airport;

Entering the appropriate minutes in field AJ Longest Time Away from Gate at Diverted Airport;

Entering the wheels-off time at Diverted Airport, AK Wheels-off Time at Diverted Airport;

Entering the aircraft tail number in Field AL Aircraft Tail Number if the wheels-off time is populated in field AK; and

Entering the appropriate data in fields L Gate Arrival Time, P Actual Gate-to-Gate Time, R Arrival Delay Time, S Elapsed Time Difference, and U Wheels-On Time when a diverted flight reaches its scheduled destination.

(10). Air Return – Then after departing a second time, the flight is again diverted

Treat as two diverted flights by:

Entering 2 in field AF Number of Diverted Landings;

Entering the three-letter code of the diverted airport (in this case the origin airport code) in field AG Three Letter Code of Diverted Airport;

Entering the wheels-on time in field AH Wheels-on Time at Diverted Airport;

Entering the appropriate minutes in field AI Total Time Away from Gate at Diverted Airport;

Entering the appropriate minutes in field AJ Longest Time Away from Gate at Diverted Airport;

Entering the wheels-off time at Diverted Airport, AK Wheels-off Time at Diverted Airport;

Entering the aircraft tail number in Field AL Aircraft Tail Number;

Entering the airport code of the diverted airport in field AM Three Letter Code of Diverted Airport;

Entering the wheels-on time in field AN Wheels-on Time at Diverted Airport;

Entering the appropriate minutes in field AO Total Time Away from Gate at Diverted Airport;

Entering the appropriate minutes in field AP Longest Time Away from Gate at Diverted Airport;

Entering the wheels-off time at Diverted Airport, AQ Wheels-off Time at Diverted Airport,

Entering the aircraft tail number in Field AR Aircraft Tail Number; and

Entering the appropriate data in fields L Gate Arrival Time, P Actual Gate-to-Gate Time, R Arrival Delay Time, S Elapsed Time Difference, and U Wheels-On Time when a diverted flight reaches its scheduled destination.

(11). Diversions that overfly the scheduled destination and land at the next scheduled point on the routing. For example, a carrier has a flight routing DCA-ATL-MIA. ATL has severe weather, and the flight overflies ATL and continues to MIA.

Report the DCA-ATL segment as a diverted flight as follows:

Entering 1 in field AF Number of Diverted Landings;

Entering MIA in field AG Three Letter Code of Diverted Airport;

Entering the wheels-on time at MIA in field AH Wheels-on Time at Diverted Airport;

Entering the appropriate minutes that the aircraft was away from the gate in MIA in field AI Total Time Away from Gate at Diverted Airport;

Entering the appropriate minutes in field AJ Longest Time Away from Gate at Diverted Airport;

Entering NO data between the commas separating the fields for field L Gate Arrival Time (Actual); and

Entering NO data between the commas separating the fields for field U Wheels-On Time (Actual).

Report the ATL-MIA segment as a canceled flight by:

Entering NO data between the commas separating the fields in the data field I (Gate Departure Time);

Entering NO data between the commas separating the fields in data field L Gate Arrival Time;

Entering NO data between the commas separating the fields in data field T Wheels-Off Time;

Entering NO data between the commas separating the fields in data field U Wheels-On Time; and entering a B for the cancellation code in field W.

(12). A BOS-LAX flight is diverted to ORD. After a stay at ORD the flight returns to BOS where the flight is then terminated. Report all diversion information as normal, including any tarmac time. Because the flight returned to the origin airport, Boston, the flight should also be reported as a cancelled flight with a cancellation code in field W.

(13). All fields for which data are unavailable will be indicated by having NO data between the commas separating the fields

(14). Any data field resulting from calculations involving a blank field (where there is NO data between the commas separating the fields) will also have NO data between the commas separating the field

(15). For data fields Q, R, and S, use positive numbers to indicate time in minutes for departure/arrival/elapsed time delays. Use negative numbers to indicate time in minutes for departures, arrivals ahead of schedule and elapsed times less than scheduled.

(16). Fields M, N, Q, R, and S have positive and negative values.

(17). Aircraft Tail Number – use the aircraft tail number that was in use immediately after wheels-off time, in case of aircraft swaps after a diversion - report the tail number in use immediately after the wheels-off time at the diverted airport.

Examples: Aircraft N1111 was scheduled to operate the flight, but before passengers boarded the flight Aircraft N2222 was substituted – report aircraft N2222.

Aircraft N1111 left the gate but returned after blowing a tire on the runway (no wheels-off). Aircraft N2222 was substituted, and the flight was operated – report aircraft N2222.

Aircraft N1111 departed airport, but flight was diverted to alternate airport. Aircraft N2222 was substituted, and the flight arrived at scheduled destination. Report aircraft N1111 in Field T and aircraft N2222 in Field AJ.

a. When reporting in the **ASCII** comma delimited format, as described in the specifications set forth in section **III.3.b. On-Time Disclosure Reports**, these fields will indicate this attribute as the actual numeric value, preceded by a "-" negative sign when the number is negative.

(18). Reporting numeric data:

a. When reporting in the **ASCII** comma delimited format, leading zeros are NOT necessary for "Minutes" fields (M, N, O, P, Q, R, S, X, Y, Z, AA, AB, AD, AE, AI, AJ, AO, AP, AU, AV, BA, BB, BG and BH).

b. Leading zeros will be used for "Time" fields (G, H, I, J, K, L, T, U, AC, AH, AK, AN, AQ, AS, AT, AW, AZ, BC, BF and BI). These fields use a 24-hour clock and will use a leading zero to show 0800 for 8:00 AM (2000 for 8:00 PM.)

3.b. On-Time Disclosure Reports.

(1). *ASQP – On-Time Data Transmittal Letter*

The transmittal letter must identify the carrier and month and year for which the On-Time Data are being submitted, and contain the following information:

A certification statement identifying an appropriate official of the reporting carrier. The certification statement will read:

I, (Name) and (Title), of the above-named air carrier, certify that the BTS Form 234 “On-Time Flight Performance Report” is to the best of my knowledge and belief, true, correct, and a complete report for the period stated.

Date:

Signature:

Name (Please Print or Type):

The name(s) and telephone number(s) of the carrier’s staff who can be contacted to resolve problems regarding both carrier data and technical matters.

For control purposes, a statement indicating the total number of flight operations and unique flight numbers in the Form 234 submission.

For the initial submission, a description of the data submitted, specifying whether the eSubmit file includes data for all domestic scheduled nonstop flight operations.

For the initial submission and for subsequent changes, a statement identifying the source of the scheduled arrival and departure times used in the report: (1) Official Airline Guide in effect on (date) and (2) the name of the computer reservation system used for reporting purposes, pursuant to §234.4(f).

Once signed, the ***On-Time Data Transmittal Letter*** must be published as an electronic “portable document format” file format, for uploading to the eSubmit application.

The portable document format file **MUST BE** indicated when naming the file, by using the letters [PDF] or [pdf] following the file name, as the file name extension. You must have Adobe software downloaded on your computer in order to “save as/print” your document as a ‘pdf’ file.

While the file name is, flexible and may be determined by the individual air carrier, the portable document format (pdf) file format is required, as outlined in Accounting and Reporting Directive No. 307 entitled, *Submitting Airline Data via the Internet*:

<https://www.bts.gov/topics/airlines-and-airports/accounting-and-reporting-directives>

Required file name format:

XX201003-234transmittal-Form1.pdf
 XX201003-234transmittal-Form2a.pdf
 XX201003-234transmittal-Form2b.pdf
 XX201003-234transmittal-Form3a.pdf
 XX201003-234transmittal-Form3b.pdf

ASQP On-Time Data File

The **ASQP – On-Time Data** reports must be created as an electronic “comma separated values” file, using ASCII text character encoding, for uploading via the “eSubmit” application.

The comma separated values file **MUST BE** indicated when naming the file, by using the letters [CSV] or [csv] following the file name, as the file name extension.

The file name is flexible and may be determined by the individual air carrier, but the comma separated values (csv) file format is required, as outlined in Accounting and Reporting Directive No. 307 entitled, *Submitting Airline Data via the Internet*:

<https://www.bts.gov/topics/airlines-and-airports/accounting-and-reporting-directives>

(2) On-time Report Forms

OMB NO: 2138-0041
 EXPIRATION DATE: 12/31/2021

Paperwork Reduction Act Burden Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2138-0041. Public reporting for on-time performance, mishandled baggage, is estimated to be approximately 10 hours per response each, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory, as authorized by 14 CFR, Part 234. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, OAI/BTS/OST-R, RTS-42, 1200 New Jersey Avenue, SE, Washington, D.C. 20590

Form 1: On-Time Performance Data for Non-Codeshare and Codeshare Flights

Field	Description	Type	Length	Comments
A	Carrier code	Character	2	Two letter IATA code
B	Flight number	Character	Max length of 4	
C	Departure airport code	Character	3	Three letter Airport code
D	Arrival airport code	Character	3	Three letter Airport code
E	Date of flight operation	Num	8	Format ccyyymmdd
F	Day of the week of flight operation	Num	1	Mon = 1, Sun = 7
G	Scheduled departure time as shown in	Num	4	Local time 24 - hour clock

5 A reporting carrier must use this form to report on-time performance data if the flight was not a codeshare flight with another U.S. carrier. A reporting carrier must also use this form to report on-time performance data if the reporting carrier operated, but did not market, a codeshare flight.

	Official Airline Guide (OAG)			
H	Scheduled departure time as shown in CRS (selected by the Carrier)	Num	4	Local time 24 - hour clock
I	Gate departure time (actual)	Num	4	Local time 24 - hour clock
J	Scheduled arrival time per OAG	Num	4	Local time 24 - hour clock
K	Scheduled arrival time per CRS	Num	4	Local time 24 - hour clock
L	Gate arrival time (actual)	Num	4	Local time 24 - hour clock
M	Difference between OAG and CRS scheduled departure times	Num	Max length of 4	In minutes (2 hours=120 min) G minus H
N	Difference between OAG and CRS scheduled arrival times	Num	Max length of 4	In minutes – J minus K
O	Scheduled elapsed time per CRS	Num	Max length of 4	In minutes – K minus H
P	Actual gate-to-gate time	Num	Max length of 4	In minutes – L minus I
Q	Departure delay time (actual minutes CRS)	Num	Max length of 4	In minutes – I minus H
R	Arrival delay time (actual minutes CRS)	Num	Max length of 4	In minutes – L minus K
S	Elapsed time difference (actual minutes CRS)	Num	Max length of 4	In minutes – P minus O
T	Wheels-off time (actual)	Num	4	Local time 24 - hour clock
U	Wheels-on time (actual)	Num	4	Local time 24 - hour clock
V	Aircraft tail number	Character	6	
W	Cancellation code	Character	1	Values are A, B, C, D
X	Minutes late for Delay Code E – Carrier Caused	Num	Max length of 4	In minutes
Y	Minutes late for Delay Code F – Weather	Num	Max length of 4	In minutes
Z	Minutes late for Delay Code G – National Aviation System (NAS)	Num	Max length of 4	In minutes
AA	Minutes late for Delay Code H – Security	Num	Max length of 4	In minutes
AB	Minutes late for Delay Code I – Late Arriving Flight (Initial)	Num	Max length of 4	In minutes
AC	First gate departure time (actual)	Num	4	Local time 24 - hour clock
AD	Total ground time away from gate	Num	Max length of 4	In minutes
AE	Longest ground time away from gate	Num	Max length of 4	In minutes
AF	Number of landings at diverted airports	Num	1	1 to 5 for diversions, 9 designates a fly return canceled flight
AG	Diverted airport code 1	Character	3	Three letter Airport code
AH	Wheels-on time at diverted airport	Num	4	Local time 24 - hour clock
AI	Total ground time away from gate at diverted airport	Num	Max length of 4	In minutes
AJ	Longest ground time away from gate at diverted airport	Num	Max length of 4	In minutes
AK	Wheels-off time (actual) at diverted airport	Num	4	Local time 24 - hour clock
AL	Aircraft tail number	Character	6	
AM	Diverted airport code 2	Character	3	Three letter Airport code
AN	Wheels-on time at diverted airport	Num	4	Local time 24 - hour clock
AO	Total ground time away from gate at diverted airport	Num	Max length of 4	In minutes
AP	Longest ground time away from gate at diverted airport	Num	Max length of 4	In minutes
AQ	Wheels-off time (actual) at diverted airport	Num	4	Local time 24 - hour clock
AR	Aircraft tail number	Character	6	
AS	Diverted airport code 3	Character	3	Three letter Airport code
AT	Wheels-on time at diverted airport	Num	4	Local time 24 - hour clock
AU	Total ground time away from gate at	Num	Max length of 4	In minutes

	diverted airport			
AV	Longest ground time away from gate at diverted airport	Num	Max length of 4	In minutes
AW	Wheels-off time (actual) at diverted airport	Num	4	Local time 24 - hour clock
AX	Aircraft tail number	Character	6	
AY	Diverted airport code 4	Character	3	Three letter Airport code
AZ	Wheels-on time at diverted airport	Num	4	Local time 24 - hour clock
BA	Total ground time away from gate at diverted airport	Num	Max length of 4	In minutes
BB	Longest ground time away from gate at diverted airport	Num	Max length of 4	In minutes
BC	Wheels-off time (actual) at diverted airport	Num	4	Local time 24 - hour clock
BD	Aircraft tail number	Character	6	
BE	Diverted airport code 5	Character	3	Three letter Airport code
BF	Wheels-on time at diverted airport	Num	4	Local time 24 - hour clock
BG	Total ground time away from gate at diverted airport	Num	Max length of 4	In minutes
BH	Longest ground time away from gate at diverted airport	Num	Max length of 4	In minutes
BI	Wheels-off time (actual) at diverted airport	Num	4	Local time 24 - hour clock
BJ	Aircraft tail number	Character	6	

Form 2A: On-Time Performance Data for Codeshare Flights (Long)⁶

Field	Description	Type	Length	Comments
A1	Marketing Carrier code	Character	2	Two letter IATA code
B1	Marketing Carrier Flight number	Character	Max length of 4	
A2	Operating Carrier Code	Character	2	Two letter IATA code
B2	Operating Carrier Flight Number	Character	Max length of 4	
C	Departure airport code	Character	3	Three letter Airport code
D	Arrival airport code	Character	3	Three letter Airport code
E	Date of flight operation	Num	8	Format ccyyymmdd
F	Day of the week of flight operation	Num	1	Mon = 1, Sun = 7
G	Scheduled departure time as shown in Official Airline Guide (OAG)	Num	4	Local time 24 - hour clock
H	Scheduled departure time as shown in CRS (selected by the Carrier)	Num	4	Local time 24 - hour clock
I	Gate departure time (actual)	Num	4	Local time 24 - hour clock
J	Scheduled arrival time per OAG	Num	4	Local time 24 - hour clock
K	Scheduled arrival time per CRS	Num	4	Local time 24 - hour clock
L	Gate arrival time (actual)	Num	4	Local time 24 - hour clock
M	Difference between OAG and CRS scheduled departure times	Num	Max length of 4	In minutes (2 hours=120 min) G minus H
N	Difference between OAG and CRS scheduled arrival times	Num	Max length of 4	In minutes – J minus K
O	Scheduled elapsed time per CRS	Num	Max length of 4	In minutes – K minus H
P	Actual gate-to-gate time	Num	Max length of 4	In minutes – L minus I
Q	Departure delay time (actual minutes CRS)	Num	Max length of 4	In minutes – I minus H
R	Arrival delay time (actual minutes CRS)	Num	Max length of 4	In minutes – L minus K
S	Elapsed time difference (actual minutes CRS)	Num	Max length of 4	In minutes – P minus O
T	Wheels-off time (actual)	Num	4	Local time 24 - hour clock
U	Wheels-on time (actual)	Num	4	Local time 24 - hour clock
V	Aircraft tail number	Character	6	
W	Cancellation code	Character	1	Values are A, B, C, D
X	Minutes late for Delay Code E – Carrier Caused	Num	Max length of 4	In minutes
Y	Minutes late for Delay Code F – Weather	Num	Max length of 4	In minutes
Z	Minutes late for Delay Code G – National Aviation System (NAS)	Num	Max length of 4	In minutes
AA	Minutes late for Delay Code H – Security	Num	Max length of 4	In minutes
AB	Minutes late for Delay Code I – Late Arriving Flight (Initial)	Num	Max length of 4	In minutes
AC	First gate departure time (actual)	Num	4	Local time 24 - hour clock
AD	Total ground time away from gate	Num	Max length of 4	In minutes
AE	Longest ground time away from gate	Num	Max length of 4	In minutes
AF	Number of landings at diverted airports	Num	1	1 to 5 for diversions, 9 designates a fly return

⁶ A reporting carrier must use this form to report on-time performance data if: (1) the flight was a codeshare flight held out to the public with only one U.S. carrier designator code (that a flight is also held out under any number of foreign carrier designator codes is irrelevant to determining whether to report); (2) the reporting carrier marketed, but did not operate, the codeshare flight; (3) there was no flight substitution; and (4) the operating carrier of the flight is not a reporting carrier.

				canceled flight
AG	Diverted airport code 1	Character	3	Three letter Airport code
AH	Wheels-on time at diverted airport	Num	4	Local time 24 - hour clock
AI	Total ground time away from gate at diverted airport	Num	Max length of 4	In minutes
AJ	Longest ground time away from gate at diverted airport	Num	Max length of 4	In minutes
AK	Wheels-off time (actual) at diverted airport	Num	4	Local time 24 - hour clock
AL	Aircraft tail number	Character	6	
AM	Diverted airport code 2	Character	3	Three letter Airport code
AN	Wheels-on time at diverted airport	Num	4	Local time 24 - hour clock
AO	Total ground time away from gate at diverted airport	Num	Max length of 4	In minutes
AP	Longest ground time away from gate at diverted airport	Num	Max length of 4	In minutes
AQ	Wheels-off time (actual) at diverted airport	Num	4	Local time 24 - hour clock
AR	Aircraft tail number	Character	6	
AS	Diverted airport code 3	Character	3	Three letter Airport code
AT	Wheels-on time at diverted airport	Num	4	Local time 24 - hour clock
AU	Total ground time away from gate at diverted airport	Num	Max length of 4	In minutes
AV	Longest ground time away from gate at diverted airport	Num	Max length of 4	In minutes
AW	Wheels-off time (actual) at diverted airport	Num	4	Local time 24 - hour clock
AX	Aircraft tail number	Character	6	
AY	Diverted airport code 4	Character	3	Three letter Airport code
AZ	Wheels-on time at diverted airport	Num	4	Local time 24 - hour clock
BA	Total ground time away from gate at diverted airport	Num	Max length of 4	In minutes
BB	Longest ground time away from gate at diverted airport	Num	Max length of 4	In minutes
BC	Wheels-off time (actual) at diverted airport	Num	4	Local time 24 - hour clock
BD	Aircraft tail number	Character	6	
BE	Diverted airport code 5	Character	3	Three letter Airport code
BF	Wheels-on time at diverted airport	Num	4	Local time 24 - hour clock
BG	Total ground time away from gate at diverted airport	Num	Max length of 4	In minutes
BH	Longest ground time away from gate at diverted airport	Num	Max length of 4	In minutes
BI	Wheels-off time (actual) at diverted airport	Num	4	Local time 24 - hour clock
BJ	Aircraft tail number	Character	6	

Form 2B: On-Time Performance Data for Codeshare Flights (Short)⁷

Field	Description	Type	Length	Comments
A1	Marketing Carrier code	Character	2	Two letter IATA code
B1	Marketing Carrier Flight number	Character	Max length of 4	
A2	Operating Carrier code	Character	2	Two letter IATA code
B2	Operating Carrier Flight number	Character	Max length of 4	
C	Departure airport code	Character	3	Three letter Airport code
D	Arrival airport code	Character	3	Three letter Airport code
E	Date of flight operation	Num	8	Format ccyymmdd
F	Day of the week of flight operation	Num	1	Mon = 1, Sun = 7
G	Scheduled departure time as shown in Official Airline Guide (OAG)	Num	4	Local time 24 - hour clock
J	Scheduled arrival time per OAG	Num	4	Local time 24 - hour clock
V	Aircraft tail number	Character	6	

⁷ A reporting carrier must use this form to report on-time performance data if: (1) the flight was a codeshare flight held out to the public with only one U.S. carrier designator code (that a flight is also held out under any number of foreign carrier designator codes is irrelevant to determining whether to report); (2) the reporting carrier marketed, but did not operate, the codeshare flight; (3) there was no flight substitution; and (4) the operating carrier of the flight is also a reporting carrier.

Form 3A: On-Time Performance Data for Codeshare Flights (Long)⁸

(For Use Only by Marketing Carrier Following July 2017 OAEP Enforcement Policy When There Is a Swap)

Field	Description	Type	Length	Comments
A1	Marketing Carrier code	Character	2	Two letter IATA code
B1	Marketing Carrier Flight number	Character	Max length of 4	
A2	Scheduled Operating Carrier Code	Character	2	Two letter IATA code
B2	Scheduled Operating Carrier Flight Number	Character	Max length of 4	
A3	Actual Operating Carrier Code	Character	2	Two letter IATA code
B3	Actual Operating Carrier Flight Number	Character	Max length of 4	
C	Departure airport code	Character	3	Three letter Airport code
D	Arrival airport code	Character	3	Three letter Airport code
E	Date of flight operation	Num	8	Format ccyyymmdd
F	Day of the week of flight operation	Num	1	Mon = 1, Sun = 7
G ₉	Scheduled departure time as shown in Official Airline Guide (OAG)	Num	4	Local time 24 - hour clock
H	Scheduled departure time as shown in CRS (selected by the Carrier)	Num	4	Local time 24 - hour clock
I	Gate departure time (actual)	Num	4	Local time 24 - hour clock
J	Scheduled arrival time per OAG	Num	4	Local time 24 - hour clock
K	Scheduled arrival time per CRS	Num	4	Local time 24 - hour clock
L	Gate arrival time (actual)	Num	4	Local time 24 - hour clock
M	Difference between OAG and CRS scheduled departure times	Num	Max length of 4	In minutes (2 hours=120 min) G minus H
N	Difference between OAG and CRS scheduled arrival times	Num	Max length of 4	In minutes – J minus K
O	Scheduled elapsed time per CRS	Num	Max length of 4	In minutes – K minus H
P	Actual gate-to-gate time	Num	Max length of 4	In minutes – L minus I
Q	Departure delay time (actual minutes)	Num	Max length of 4	In minutes – I minus H
R	Arrival delay time (actual minutes)	Num	Max length of 4	In minutes – L minus K
S	Elapsed time difference (actual minutes)	Num	Max length of 4	In minutes – P minus O
T	Wheels-off time (actual)	Num	4	Local time 24 - hour clock
U	Wheels-on time (actual)	Num	4	Local time 24 - hour clock
V	Aircraft tail number	Character	6	
W	Cancellation code	Character	1	Values are A, B, C, and D
X	Minutes late for Delay Code E – Carrier Caused	Num	Max length of 4	In minutes
Y	Minutes late for Delay Code F – Weather	Num	Max length of 4	In minutes
Z	Minutes late for Delay Code G – National Aviation System (NAS)	Num	Max length of 4	In minutes

⁸ A reporting carrier must use this form to report on-time performance data if: (1) the originally scheduled flight was a codeshare flight held out to the public with only one U.S. carrier designator code (that a flight is also held out under any number of foreign carrier designator codes is irrelevant to determining whether to report); (2) there was a flight substitution (Codeshare Swap); (3) the reporting carrier marketed the originally scheduled codeshare flight but did not operate the originally scheduled codeshare flight or the substitute codeshare flight; and (4) the substitute flight was an extra section flight or the carrier that operated the flight is not a reporting carrier.

⁹ For the purposes of fields G, H, J, and K, a carrier must provide information as it relates to the originally scheduled flight that was not operated and subject to the Codeshare Swap and must apply that information in calculating the other fields that are based on the information in fields G, H, J, and K (i.e. M, N, O, Q, R, S). All other fields and references to them relate to the substitute flight that was actually operated.

AA	Minutes late for Delay Code H – Security	Num	Max length of 4	In minutes
AB	Minutes late for Delay Code I – Late Arriving Flight (Initial)	Num	Max length of 4	In minutes
AC	First gate departure time (actual)	Num	4	Local time 24 - hour clock
AD	Total ground time away from gate	Num	Max length of 4	In minutes
AE	Longest ground time away from gate	Num	Max length of 4	In minutes
AF	Number of landings at diverted airports	Num	1	1 to 5 for diversions, 9 designates a fly return canceled flight
AG	Diverted airport code 1	Character	3	Three letter Airport code
AH	Wheels-on time at diverted airport	Num	4	Local time 24 - hour clock
AI	Total ground time away from gate at diverted airport	Num	Max length of 4	In minutes
AJ	Longest ground time away from gate at diverted airport	Num	Max length of 4	In minutes
AK	Wheels-off time (actual) at diverted airport	Num	4	Local time 24 - hour clock
AL	Aircraft tail number	Character	6	
AM	Diverted airport code 2	Character	3	Three letter Airport code
AN	Wheels-on time at diverted airport	Num	4	Local time 24 - hour clock
AO	Total ground time away from gate at diverted airport	Num	Max length of 4	In minutes
AP	Longest ground time away from gate at diverted airport	Num	Max length of 4	In minutes
AQ	Wheels-off time (actual) at diverted airport	Num	4	Local time 24 - hour clock
AR	Aircraft tail number	Character	6	
AS	Diverted airport code 3	Character	3	Three letter Airport code
AT	Wheels-on time at diverted airport	Num	4	Local time 24 - hour clock
AU	Total ground time away from gate at diverted airport	Num	Max length of 4	In minutes
AV	Longest ground time away from gate at diverted airport	Num	Max length of 4	In minutes
AW	Wheels-off time (actual) at diverted airport	Num	4	Local time 24 - hour clock
AX	Aircraft tail number	Character	6	
AY	Diverted airport code 4	Character	3	Three letter Airport code
AZ	Wheels-on time at diverted airport	Num	4	Local time 24 - hour clock
BA	Total ground time away from gate at diverted airport	Num	Max length of 4	In minutes
BB	Longest ground time away from gate at diverted airport	Num	Max length of 4	In minutes
BC	Wheels-off time (actual) at diverted airport	Num	4	Local time 24 - hour clock
BD	Aircraft tail number	Character	6	
BE	Diverted airport code 5	Character	3	Three letter Airport code
BF	Wheels-on time at diverted airport	Num	4	Local time 24 - hour clock
BG	Total ground time away from gate at diverted airport	Num	Max length of 4	In minutes
BH	Longest ground time away from gate at diverted airport	Num	Max length of 4	In minutes
BI	Wheels-off time (actual) at diverted airport	Num	4	Local time 24 - hour clock
BJ	Aircraft tail number	Character	6	

Form 3B: On-Time Performance Data for Codeshare Flights (Short)¹⁰
(For Use Only by Marketing Carrier Following July 2017 OAEP Enforcement Policy When There Is a Swap)

Field	Description	Type	Length	Comments
A1	Marketing Carrier code	Character	2	Two letter IATA code
B1	Marketing Carrier Flight number	Character	Max length of 4	
A2	Scheduled Operating Carrier code	Character	2	Two letter IATA code
B2	Scheduled Operating Carrier Flight number	Character	Max length of 4	
A3	Actual Operating Carrier code	Character	2	Two letter IATA code
B3	Actual Operating Carrier Flight number	Character	Max length of 4	
C	Departure airport code	Character	3	Three letter Airport code
D	Arrival airport code	Character	3	Three letter Airport code
E	Date of flight operation	Num	8	Format ccyyymmdd
F	Day of the week of flight operation	Num	1	Mon = 1, Sun = 7
G ₁₁	Scheduled departure time as shown in Official Airline Guide (OAG)	Num	4	Local time 24 - hour clock
J	Scheduled arrival time per OAG	Num	4	Local time 24 - hour clock
V	Aircraft tail number	Character	6	

CANCELLATION CODES:

A – Air Carrier
B – Weather
C – National Aviation System (NAS)
D – Security

DELAY CODES:

E – Carrier Caused
F – Weather
G – National Aviation System (NAS)
H – Security
I – Late Arriving Flight (Initial)

Note: The data will be reported without summarization, with a separate flight record for each reportable operation. Flight records will be sequenced by date of flight (field E) within market (fields C and D), within flight number (fields B, B1, B2, B3).

Note: When a flight has been canceled before a specific aircraft has been assigned to that flight, you would leave field V (Aircraft Tail Number) blank, resulting in adjacent commas (e.g. NO data between the commas separating the fields).

The fields in the sample record shown below follow the same order as the above record description, separated by commas, and saved with the file name extension of .csv.

¹⁰ A reporting carrier must use this form to report on-time performance data if: (1) the originally scheduled flight was a codeshare flight held out to the public with only one U.S. carrier designator code (that a flight is also held out under any number of foreign carrier designator codes is irrelevant to determining whether to report); (2) there was a flight substitution (Codeshare Swap); (3) the reporting carrier marketed the originally scheduled codeshare flight but did not operate the originally scheduled codeshare flight or the substitute codeshare flight; (4) the substitute flight was not an extra section flight; and (5) the substitute flight was operated by a reporting carrier.

¹¹ For fields G and J, a carrier must provide information as it relates to the originally scheduled flight that was not operated and subject to the Codeshare Swap. All other fields relate to the substitute flight that was actually operated.

Required file name format: XX201003-234ontime.csv

Required file name format: XX201003-234ontime-Codeshare.csv

Required Sample Format:

XX,1234,YY,567,ZZ,921,DFW,BNA,20100301,1,0735,0735,0737,0915,0915,1148,0,0,100,251,2,153,151,0753,1141,N123XX,,,,,,,,,1,MEM,1005,69,69,1114,N234XX,,,,,,,,,,,,,,,,,,,,,

Example For Codeshare Flights Swap Reporting:

Reporting Carrier XX is the marketing carrier of Flight XX1234 and the operating carrier is scheduled to be Carrier YY, a codeshare partner of Carrier XX. Due to a mechanical problem, Carrier YY is unable to operate the flight and Carrier ZZ, another codeshare partner of Carrier XX, operated the flight in its place and the flight number is changed to XX5678. Assuming Flight 1234 was cancelled before it departed the gate, Carrier XX may choose to file the reports per one of the two options below:

Option 1 (existing rule):

- Carrier XX reports Flight 1234 as a “cancelled flight.”
 - If Carrier YY is a reporting carrier, Carrier YY files Form 1 and Carrier XX files Form 2B.
 - If Carrier YY is not a reporting carrier, Carrier YY does not report and Carrier XX files Form 2A.
- Carrier XX also reports Flight XX5678 if it is provided for in published schedule.
 - If Carrier ZZ is a reporting carrier, Carrier ZZ files Form 1 and Carrier XX files Form 2B, listing Carrier ZZ in Field A2, Flight number 5678 in Field B2;
 - If Carrier ZZ is not a reporting carrier, Carrier ZZ does not report and Carrier XX files Form 2A, listing Carrier ZZ in Field A2, Flight number 5678 in Field B2.
- Carrier XX does not report Flight 5678 if it is not provided for in published schedule (extra-section flight).¹²

Option 2 (enforcement policy):

- Carrier XX does not file reports for canceled Flight XX1234. Instead, Carrier XX only reports the on-time performance of Flight XX5678 *even if it is not provided for in published schedule (extra-section flight)*.
 - If Carrier ZZ is a reporting carrier and Flight XX5678 is not an extra-section flight, Carrier ZZ files Form 1 and Carrier XX files Form 3B, listing Carrier YY in Field A2, flight number 1234 in Field B2, Carrier ZZ in Field A3, and XX5678 in Field B3;
 - If Carrier ZZ is not a reporting carrier or Flight XX5678 is an extra-section flight, Carrier ZZ does not file a report and Carrier XX files Form 3A,

¹² Section 234.4(e) states that a reporting carrier shall not report the on-time flight performance for any discontinued or extra-section flight. Section 234.2 defines an extra-section flight as “a flight conducted as an integral part of scheduled passenger service, that has not been provided for in published schedules and is required for transportation of traffic that cannot be accommodated on the regularly scheduled flight.”

listing Carrier YY in Field A2, Flight number 1234 in Field B2, Carrier ZZ in Field A3, and Flight number 5678 in Field B3.

4. Data Requirements and Instructions for CRS Disclosure

As required by § 234.8 of the Department's Regulations, each reporting carrier providing data pursuant to this directive will calculate an on-time performance code for each reportable (nonstop) flight included in its monthly data submission to the Department, and for each one-stop or multi-stop flight that includes a reportable flight segment as specified below. That calculation will be carried out as follows:

1. Each reporting carrier will compute the arrival delay in minutes for each reported (nonstop) flight operation in its monthly data submission by subtracting the scheduled arrival time for each flight operation per its CRS records (data field M) from the actual gate arrival time (data field N).

2. Using the data derived from the computation in paragraph 1 above, each reporting carrier will calculate, for each nonstop flight in its data submission, the percent of that flight's operations that were on-time during the month (i.e., arrived sooner than the CRS scheduled arrival time + 15 minutes). The calculation will be performed by dividing the number of reported operations of each flight that arrived less than 15 minutes after the scheduled arrival time, by the total number of reported operations of that flight during the month.

3. Each reporting carrier will convert the percentage derived from the computations in paragraph 2 into a one-digit CRS on-time performance code for each reportable flight operated during the month as follows:

Percent of operations of the flights that were on-time	CRS on-time performance code
90 to 100	9
80 to 89.9	8
70 to 79.9	7
60 to 69.9	6
50 to 59.9	5
40 to 49.9	4
30 to 39.9	3
20 to 29.9	2
10 to 19.9	1
0 to 9.9	0

4. New flights, as defined in § 234.2, for which no on-time percentage is available yet will be designated with the CRS data code "N" (no record).

5. Each reporting carrier will include the appropriate one-digit CRS code (0 through 9 or "N") as a standard data element in each flight schedule it provides the OAG and/or any CRS vendor(s), for every reportable flight.

6. In addition, using the procedure illustrated in this paragraph, each reporting carrier will include the appropriate one-digit CRS code (0 through 9 or "N") as a standard data element in each flight schedule it provides the OAG and/or any CRS vendor(s), for every one-stop or multi-stop flight, or portion thereof, that includes a reportable flight as a final flight segment.

Examples:

If flight 102 operates EWR-DCA-ATL-MIA, provide the on-time performance codes for:

102 EWR-DCA (calculated per paragraphs 1-4 above)
102 DCA-ATL (calculated per paragraphs 1-4 above)
102 ATL-MIA (calculated per paragraphs 1-4 above)
102 EWR-ATL: assign 102 DCA-ATL performance code
102 EWR-MIA: assign 102 ATL-MIA performance code
102 DCA-MIA: assign 102 ATL-MIA performance code

If flight 103 operates BUF-SYR-EWR-DCA, provide on-time performance codes for:

103 SYR-EWR (calculated per paragraphs 1-4 above)
103 EWR-DCA (calculated per paragraphs 1-4 above)
103 BUF-EWR: assign 103 SYR-EWR performance code
103 BUF-DCA: assign 103 EWR-DCA performance code
103 SYR-DCA: assign 103 EWR-DCA performance code

If flight 104 operates MKE-DTW-CMH-LEX, provide on-time performance codes for:

104 MKE-DTW (calculated per paragraphs 1-4 above)
104 DTW-CMH (calculated per paragraphs 1-4 above)
104 MKE-CMH: assign 104 DTW-CMH performance code

7. A flight that is not a new flight will be assigned the on-time performance code calculated for the flight that it replaces, even if the two flights do not have the same flight number.

8. No later than the 15th day of each month, each reporting carrier will deliver or arrange to have delivered to its CRS vendor(s), updated on-time performance codes. If a carrier relies on a third party to supply such flight information to CRS vendor(s), the carrier will provide their flight information, including the appropriate CRS on-time performance codes, at the same time that the carrier submits its monthly flight data to the Department.

9. The calculation and assignment of on-time performance codes for flights other than reportable flights, as permitted in § 234.10, will follow the procedures set forth above. Carriers are required to perform those calculations only for reportable flights, and for one-stop or multi-stop flights, or portions thereof that include a reportable flight as a final flight segment but may do so for all flights at their option.

10. No carrier may provide on-time performance codes to the OAG or to any CRS vendor(s) for any flight during any month unless the carrier also provides the required flight data for the month to the Department as specified in Part 234 and in this Technical Directive.

5. Reporting the Causes of Canceled and Delayed Flights

1. There are four categories for cancellation:

- A. Air Carrier
- B. Extreme Weather
- C. National Aviation System
- D. Security

2. There are five categories for delayed flights:

- E. Air Carrier
- F. Extreme Weather
- G. National Aviation System
- H. Security
- I. Late Arriving Aircraft

3. Causal data must be reported for canceled and late arriving flights (flights that arrive at the destination airport 15 minutes or more after the scheduled arrival time. No causal data are required for flights that are considered on-time or for diverted flights.

4. For all late flights, you account for the cause and length of departure delays of 5 minutes or longer (with the exception of No. 5 below). Carriers may choose to report only the predominant departure delay, but they must do it on a consistent basis. Also, carriers that report predominant cause of delay must abide by No. 8 below.

5. When there are multiple causes of delays that start at the same time, report the cause of delay having the longest duration.

6. Reported delay minutes must equal the arrival delay. When the arrival delay is greater than the departure delay, the difference is attributed to NAS.

7. When departure delay is greater than the arrival delay, report the arrival delay minutes. If there were multiple delay causes, prorate the time-savings to each cause of delay. Report in whole minutes and do not report a negative number for the length of delay.

8. Causal delay minutes assigned to late arriving aircraft can be equal to or less than, but not more than the delay time of the previous flight operated with the same aircraft with one exception, i.e., a carrier swaps aircraft between routes to lessen delays.

(At 2 p.m., aircraft N0011 arrived on time and its next flight segment is scheduled to depart at 5 p.m. Aircraft N0012 was scheduled to arrive at 1 p.m. and is still en-route. The next scheduled flight with this aircraft is at 2:10 p.m. The air carrier swapped aircraft and the 2:10 p.m. flight departed at 2:30 p.m. The carrier reported a 20-minute delay for late arriving aircraft, even though the previous flight with this aircraft arrived on-time.) The flight scheduled to depart at 2:10 p.m. would have departed even later if the air carrier had not swapped aircraft.

CAUSAL DELAYS AND CANCELLATIONS

The primary purpose for collecting causal data is to categorize delays and cancellations so that system problems can be identified, and the appropriate parties can take corrective action.

AIR CARRIER DELAYS OR CANCELLATIONS

Below is a list of examples of causes for delays and cancellations that we believe are within the control of the air carrier. This list should be used as a guide for the type of occurrences that should be reported as an air carrier delay and/or cancellation. It should not be considered a complete list, and we welcome comments on additions or deletions.

AIR CARRIER

- Aircraft cleaning
- Aircraft damage (except bird strikes, lightning/hail damage)
- Airport curfew
- Awaiting the arrival of connecting passengers or crew
- Awaiting alcohol test
- Awaiting gate space
- Baggage loading
- Cabin servicing
- Cargo loading
- Catering
- Computer outage - carrier equipment
- Crew legality (pilot or attendant rest)
- Damage by hazardous goods
- Engineering Inspection
- Public Health, etc.
- Flight paperwork
- Fueling
- Gate congestion
- Government forms not properly completed - INS, FAA, Agriculture
- Ground equipment out of service
- Hot brakes restriction
- Last minute passenger
- Late mail from Post Office
- Late crew
- Lavatory servicing
- Maintenance
- Medical emergency
- Out of service aircraft
- Oversales
- Positive passenger baggage match
- Passenger services
- Potable water servicing

Pre-flight check
Ramp congestion - blocked by another aircraft under carrier's control
Ramp service
Removal of unruly passenger
Revised weight sheet
Shortage of ramp equipment
Slow boarding or seating
Snow removal (when it is a carrier ramp service function)
Stowing carry-on baggage
Weight and balance delays

WEATHER

Below is a list of examples of causes for delays and cancellations that we believe are the result of weather. This list should be used as a guide for the type of occurrences that should be reported as an air carrier delay and/or cancellation. It should not be considered a complete list, and we welcome comments on additions or deletions.

WEATHER

Below minimum conditions
Clear ice inspection
Deicing aircraft
Earthquake
Extreme high or low temperatures
Hail Damage
Holding at gate for enroute weather
Hurricane
Lightning damage
Pre-planned cancellations that result from predicted weather
Snow Storm
Thunder Storm
Tornado

NATIONAL AVIATION SYSTEM (NAS)

Below is a list of examples of causes for delays and cancellations that we believe are in the control of the FAA, airport operators or State/local officials. This list should be used as a guide for the type of occurrences that should be reported as a NAS delay and/or cancellation. It should not be considered a complete list; and we welcome comments on additions or deletions.

NATIONAL AVIATION SYSTEM (NAS)

Airport conditions
Airport construction
Air Traffic Control (ATC)
Awaiting ATC clearance while still at gate
Air Traffic Quota Flow Program – ATC
Bird strikes
Closed Runways
Computer failure - ATC equipment
Equipment Outage - ATC
Gate hold - ATC
Ground delay program - ATC
Flow control program - FAA
Other disabled aircraft blocking runway
Ramp congestion - blocked by aircraft not under carrier's control
Ramp Traffic - Air Traffic Control
Restricted aircraft movement on runways
Volume Delays

SECURITY

Below is a list of examples of causes for delays and cancellations that we believe were the result of security measures outside the control of air carriers. This list should be used as a guide for the type of occurrences that should be reported as a security delay and/or cancellation. It should not be considered a complete list; and we welcome comments on additions or deletions.

SECURITY

Bomb threat
Inoperative screening equipment - TSA
Evacuation of terminal or concourse resulting from security breach
Re-boarding aircraft because of security breach
Sky Marshal caused delay
Weapon confiscation
Lines at screening area that exceed standard time (see **X. Security Screening** below)

Note: Delays caused by routine passenger screening should not be assigned to "Security" when the wait at screening areas are less than 30 minutes. In addition, air carriers should ensure that delays and cancellations assigned to "Security" were not attributable to their own actions or caused by their own employees who fail to follow security procedures.

LATE ARRIVING AIRCRAFT

Late Arriving Aircraft means a previous flight with the **same aircraft** arrived late which caused the present flight to depart late. The minutes assigned to Late Arriving Aircraft can never be more than the delay time of the previous flight. When assigning a causal code for Late Arriving

Aircraft, the carrier must consider the scheduled time between flights and the carrier's allotted turn time. (Exception from the same aircraft rule is allowed when carrier substitutes an aircraft for a delayed aircraft in order to decrease the delay of upcoming flights).

Guidance for Calculating Delay Minutes Attributed to a Late Arriving Flight

Minutes attributed to a Late Arriving Flight = Arrival time of previous flight + Scheduled turn time – Scheduled Departure time.

Examples:

1. A Flight was 40 minutes late and arrived @ 2:15. There was a scheduled 20-minute turn time, and the next flight was scheduled to depart at 1:55. ($2:15 + 20 \text{ minutes} - 1:55 =$ a 40-minute delay may be attributed to a late arriving aircraft.)

A flight was 60 minutes late and arrived @ 2:15. There was a scheduled 20-minute turn time, and the next flight was scheduled to depart at 4:00. ($2:15 + 20 \text{ minutes} - 4:00 =$ no allowable time for late arriving aircraft.)

6. Security Screening

1. Long lines at the passenger screening area can cause carriers to delay flights. Passenger inconvenience and anxiety can create its own security risks. By the nature of the airline business, many screening areas have processing peaks and valleys, which generally result from a large number of flights being scheduled in a short period of time. While the Department is not mandating how air carriers schedule flights, it may be in the carriers' self-interest to review scheduling practices to alleviate delays both inside the airport and on the tarmac.

2. While TSA is in control of passenger screening, the air carriers are responsible for managing the lines up to the screening lanes. Carriers can alleviate the need to hold flights for passengers in screening queues by bringing those passengers to the front of the line. Managing the line becomes more problematical when the carrier has multiple flights scheduled to depart at the same time or multi carriers use the same screening areas.

3. Lines at some screening points amass early in the morning, after there were long lines at the carriers' check-in-counter. The check-in lines quickly disperse when air carriers add service agents. These passengers gather at the screening queue. The problem could be lessened or avoided by air carriers rescheduling service-agent assignments to encourage a more even flow of passengers to the screening areas.

7. Gate Returns including Canceled Flights

For consistency in the reporting of gate returns, carrier must report the last gate-departure time before wheels-off time as the official gate-departure time (Field I), and carriers will report the first gate departure time in Field AC [First Gate Departure time (Actual)]. Two additional fields (AD Total ground time away from gate and AE Longest ground time away from gate) will be reported. These fields will give consumers and the Federal Aviation Administration a more

complete picture of tarmac delays. The clock for computing fields AD and AE will stop when the passengers are given the opportunity to deplane (most carriers' measure this time when the main passenger door is opened or when the parking brake is set.) Carriers must include their method for measuring when the passengers were given the opportunity to deplane in their procedure statement.

For flights, which are canceled after the aircraft leaves the boarding gate but before departing the runway, (wheels-off), carriers will populate Fields AC, AD, AE, and I.

For flights that are canceled after wheels-off time (fly returns/air returns), carriers will report the actual gate-departure time in Field I, the wheels-off time in Field T, a 9 in field AF Number of Diverted Landings (the use of a 9 designates a fly return), the airport code of the origin airport in field AG, the wheels-on time for the fly return in field AH, the total ground time away from gate (after fly return) in field AI and the longest time away from gate (after fly return) in field AJ. For flights that are diverted to an alternate airport, return to the origin airport, and then are cancelled, carriers will report the actual gate-departure time in Field I, the wheels-off time in Field T, a 9 in field AF Number of Diverted Landings (the use of a 9 designates a fly return), the airport code of the alternate airport in field AG, the wheels-on time in field AH, the total ground time away from gate in field AI, the longest time away from gate in field AJ, the wheels off time at diverted airport in field AK, the Aircraft Tail Number in field AL, the origin airport code in field AM (fly return) the Wheels on time in field AN, the total ground time away from gate (after fly return) in field AO, and the longest time away from gate (after fly return) in field AP.

8. Diversions

Carriers will now complete all relevant fields when a flight is diverted to an alternate airport with the exception of cause of delay. The exclusion of not reporting causal data for diversions remains in effect. When a diverted flight does not reach its scheduled destination, fields L Gate Arrival Time, P Actual Gate-to-Gate Time, R Arrival Delay Time, S Elapsed Time Difference, and U Wheels-On Time will be blank (NO data between the commas separating the fields). However, these fields will be populated if a diverted flight reaches the scheduled destination. Carriers will also report the number of diverted landings in field AF Number of Landings at Diverted Airports (up to 5 diverted landings are permitted, and a 9 entered in this field designates a fly return of a flight which was ultimately canceled); the three letter code of the Diverted Airport in field AG Three Letter Code of Diverted Airport; the wheels-on time in field AH Wheels-on Time at Diverted Airport; the appropriate minutes in field AI Total Time Away from Gate at Diverted Airport; the appropriate minutes in field AJ Longest Time Away from Gate at Diverted Airport; and the wheels-off time at Diverted Airport, AK Wheels-off Time at Diverted Airport, and AL Aircraft Tail Number. When tracking the minutes to report in fields AI and AJ, the clock stops when passengers are given the opportunity to deplane the aircraft (most carriers measure this time when the main passenger door is opened or when the parking brake is set.) Carriers must include their method for measuring when the passengers were given the opportunity to deplane in their procedure statement.

In order to retain the fixed file format, we have provided fields to capture the data elements for five diversions.

9. Procedural Statement

In fulfilling DOT's data reporting requirements, the reporting air carriers use automated and/or manual systems for collecting flight data. Those using an automated system rely on the Aircraft Communication Addressing and Reporting System (ACARS), the Docking Guidance System (DGS) or Airborne Flight Information System (AFIS).

Carriers have the option of tracking all causes of delays from the moment the delay occurs or only those causes that persist for 5 minutes or longer. Whichever method the carrier elects to use, the carrier must consistently apply the method in its monthly report.

Carriers have the option of reporting multiple causes of departure delays or the predominant cause of departure delays with two exceptions: (1) Causal delay minutes assigned to late arriving aircraft can be equal to or less than but never more than the delay time of the previous flight operated with the same aircraft; and (2) Carriers cannot use minutes assigned to NAS (because arrival delay was greater than departure delay) to disguise another delay cause. For example, a carrier had an 8-minute weather delay at departure and the flight arrived 23 minutes late. The correct reporting would be 8 minutes for weather and 15 minutes for NAS. Whichever method the carrier elects to use, the carrier must consistently apply the method in its monthly report.

The Procedural Statement must be dated and advise users whether it: (1) uses Automated and/or Manual System to track times; if automated please specify the system used; (2) tracks causes of delay beginning with the first minute of delay or only delay causes of 5 minutes or longer; (3) reports all causes of delays or only the predominant cause of delay, and the method used to stop the clock on tarmac times for gate returns and diversions after passengers have been given the opportunity to deplane. Carriers must e-mail the Procedural Statement to ontime.support@dot.gov each year in January. If a carrier elects to change a reporting method, it must submit a revised Procedural Statement for On-Time Reporting before submitting its monthly 234 report.

IV. Submission of Reports

1. For more information regarding submission of reports refer to Accounting and Reporting Directive No. 307 entitled, *Submitting Airline Data via the Internet*:

<https://www.bts.gov/topics/airlines-and-airports/accounting-and-reporting-directives>

For assistance, carriers should e-mail ontime.support@dot.gov

2. Due Dates. The due date for Form 234 On-Time Performance is 15 days after the applicable reporting month, i.e., data for the month of March is due by April 15, unless otherwise noted in enforcement policy. If the 15th day falls on a weekend or Federal holiday, the due date will be the next workday.

3. Enforcement. Late filing or noncompliance with these reporting requirements may subject an air carrier to enforcement action, including the assessment of civil penalties of up to \$33,333 for each violation (and for each day such violation continues) under 49 U.S.C. 46301.

4. Missing or Incomplete Records. Any carrier subject to this directive, which does not file the required data for any period, or files incomplete data, will submit a sworn statement of an officer that the carrier was unable to provide the data because it did not have and could not obtain the necessary records. That statement, as well as the veracity of the information and the data submitted, will be subject to 18 U.S.C. 1001, regarding criminal penalties for false statements made to a government agency. The statement will be filed with the Director, Office of Airline Information, at the address below, three days prior to the due date.

Ontime.support@dot.gov
Form251.support@dot.gov

5. Special Circumstances. Requests for waivers, exceptions, extensions, or other considerations will be submitted in writing to the Director, Office of Airline Information, at the address in paragraph 4 above.

V. Records Retention

Form 234 is a statistical report. The record retention requirements for statistical reports are governed by 14 CFR Part 249, "Preservation of Air Carrier Records" of the Department's Regulations. Specifically, § 249.20-6 requires the information supporting a statistical report to be maintained by the carrier for three years.

Questions regarding this technical directive should be addressed to ontime.support@dot.gov

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ATTACHMENT

Attachment 1: Flow Chart

