

**Prepared Remarks of Sen. Ron Wyden --**  
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It's hard to believe it was well over a year ago that Americans were terrified of Y2K. People even refused to fly on New Year's Eve for fear that planes would fall out of the sky.

The millennium has come and gone, and we're still here. Many predictions for the turn of the century failed to pan out. There was no fiery apocalypse. The "Y2K bug" didn't bring down the power grid, or any airplanes, for that matter.

But in 1996, a blue-ribbon panel set up by Congress predicted that “rapidly growing demand combined with a reduction in capacity, as a result of continued reliance on outdated equipment, will bring our nation’s aviation system to gridlock soon after the turn of the century.”

**That**

the skies – looks remarkably accurate as we move further into the new century.

As the Department of Transportation Inspector General stated in his report on airline customer service earlier this year, “the aviation system is not working well,” and the airlines, airports, the FAA, and the traveling public all know it.

You have probably all heard the  
bleak statistics. Between 1995 and  
2000:

Delays increased 90 percent.

Cancellations increased 104  
percent.

There was a 165 percent increase in the number of flights that sat on the runway for an hour or more before taking off.

There was a 341 percent increase in the number of flights that sat on the runway for four hours or more before taking off.

The number of flights that are  
chronically late or canceled  
increased 340 percent.

Consumer complaints filed with  
the Department of Transportation  
about airline travel nearly  
quadrupled.

Describing the problem is easy.  
The tougher question is, what can  
be done about it?

There is no single answer.  
Congress can't wave a magic wand  
and make all delays disappear.  
Addressing these problems is going  
to take hard work on a number of  
fronts.

Within the past week, I've received new evidence that airline passenger rights legislation is an essential part of what needs to be done. The Department of Transportation Inspector General sent me material confirming that no airline currently will agree to warn a consumer, without being asked, if a flight the consumer is about to book a ticket on is chronically delayed or canceled. So the airline may know that the flight is late 75 percent of the time, but it won't tell the consumer that. Why? According to the Inspector General, the airlines offer a range of excuses:

They don't want to disparage their  
own product.

They are worried about the cost of the extra time it would take for reservation agents to relay this information to callers. (Though apparently they're not so worried about the cost of the consumer's time.)

They think that many of the delays aren't their fault, and want to wait for a Department of Transportation program for classifying the causes of delays.

This is why I have been trying to get a passenger rights bill for over two years now. There are some steps that airlines just won't take voluntarily.

Of course, the airlines are right when they say that the country needs to build more airport capacity.

Continuing increases in demand for air travel appear to be nearly as inevitable as death and taxes. Since 1990, the number of air travelers has risen nearly 43 percent, and the FAA has predicted that the annual number will exceed 1 billion by 2010, up from about 700 million today. Airport infrastructure needs to keep pace.

Accommodating this growth will require more runways.

That is why I was a strong supporter of AIR-21, the FAA reauthorization package enacted last year. That legislation sharply boosts federal funding for projects to improve the nation's airports and aviation infrastructure. I also plan to support efforts to find responsible ways to streamline the approval process for new runways.

I also support efforts to modernize air traffic control. The Federal Aviation Administration needs to do everything it can to roll out new air traffic control technology and redesign airspace.

But here is my bottom line: no matter how much concrete you pour, or how many new computers you deploy, the country's aviation system won't work the way it should unless the airlines step up to the plate as well. For example, the Inspector General informs me that American and Delta have adjusted their schedules at their main hubs in an effort to ease congestion. That is good news, and I hope other airlines will do likewise.

However, above all, airlines need to do more to provide consumers with better information.

There are two major reasons why providing consumers with information is so important.

First, new runways and air traffic control improvements can't be completed overnight. As important as these efforts are, it's going to be a few years before they bring any real relief. So for the near term, passengers are going to continue to face frequent congestion and delays.

But passengers stuck on the ground shouldn't also be left in the dark. The more information passengers have about delays and cancellations, the more they can minimize the impact. When an airline informs passengers about a delay, they can adjust their plans or call family members waiting for them at their destination. If delays are going to happen, the least an airline can do is let its customers know what is going on.

Second, providing passengers with better information creates powerful, market-based incentives for airlines to do everything in their power to improve the situation. For example, if a consumer is told that a particular flight is chronically late, the consumer may decide to take his or her business elsewhere. To try to prevent that, the airline will strive to do better.

Unfortunately, the information airlines provide today often falls well short of the mark. Earlier this year, the Inspector General reported on his 18-month study of the airlines' performance – and told the Senate Commerce Committee that he would give the airlines a “D” when it comes to keeping passengers posted about delays and cancellations. And as the Inspector General confirmed to me again this week, when a consumer calls up to make a reservation, he or she won't be told if the flight is chronically delayed.

It's been a long wait, but I think passenger rights legislation is almost cleared for takeoff. The Senate Commerce Committee recently approved a strong bipartisan bill that closely tracks the findings and recommendations of the Inspector General. The bill's main goal is to make sure airlines tell consumers what they know, when they know it.

Contrary to what opponents may say, the bill is not about micromanaging airlines or replacing market forces with regulatory mandates. Rather, by arming consumers with better information, it will help ensure that deregulation works the way it is supposed to. Deregulated markets function well only when consumers have good information.

This bill ensures that consumers have the information they need to make informed choices in the aviation marketplace.

I am hopeful that the Senate will move quickly to bring the bill to a vote. It won't instantly solve all the industry's problems, but it would be a big step forward. And it would be the first good news air travelers have had in a long time.