

**John Laughter**  
Executive Vice President &  
Chief of Operations

March 21, 2023

The Honorable Billy Nolen  
Acting Administrator  
Federal Aviation Administration  
800 Independence Avenue, SW  
Washington, DC 20591

Dear Acting Administrator Nolen:

On behalf of Delta Air Lines, thank you and the devoted FAA professionals who work diligently each day to ensure the safety of our aviation system and smooth, reliable operations for the traveling public. At Delta, our team of 90,000 professionals share the goal of delivering a safe, reliable, high-quality experience for our customers.

Delta recognizes that system constraints continue to exist at John F. Kennedy International (JFK), LaGuardia (LGA) and Newark Liberty International (EWR) Airports (the “NY/NJ Airports”), as those airports return to normal operations following the COVID-19 pandemic. These constraints also impact operations at Ronald Reagan Washington National Airport (DCA) for flights arriving from and departing to the NY/NJ Airports. Delta further recognizes that many of the constraints are attributable to workforce challenges for both aviation stakeholders using the NY/NJ Airports and the Federal Aviation Administration (FAA). To protect the passenger experience and mitigate disruptions at these airports during the peak summer season (May 15, 2023, through September 15, 2023),<sup>1</sup> it is imperative that aviation stakeholders work collaboratively with the FAA to take proactive measures. We are prepared to do our part.

To that end, Delta requests that the FAA (1) grant a limited, conditional waiver of the minimum usage requirement that applies to Operating Authorizations (“slots”) at JFK, LGA and DCA and (2) issue a limited policy for prioritizing returned operations at EWR for the summer season. Specifically, we request that the FAA permit Delta to voluntarily return up to 10 percent of slots held at JFK, LGA, and DCA<sup>2</sup> and approved operating times at EWR for the period from May 15, 2023, through September 15, 2023.<sup>3</sup>

As a condition of obtaining this relief, Delta agrees to notify the FAA before April 30, 2023, if it wishes to voluntarily return its slots and approved operating times; and return specific slots and approved operating times to the FAA before April 30, 2023. Delta understands that slots or approved operating times that were allocated after December 1, 2022, for initial use on or before October 23, 2023, and slot exemptions authorized at DCA by the U.S. Department of Transportation (DOT) or FAA exemptions are not eligible for relief. We further understand that any slot or operating authorization that is not

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<sup>1</sup> The full summer season runs from March 26, 2023, through October 28, 2023.

<sup>2</sup> For DCA, this relief would be available only for flights impacted by operations to or from the NY/NJ Airports.

<sup>3</sup> Any slots voluntarily returned by Delta to the FAA under this temporary program will be automatically reallocated to Delta following the expiration of the relief period (i.e., effective September 16, 2023).

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voluntarily returned to the FAA during the May 15, 2023, to September 15, 2023, relief period proposed in this letter must continue to meet the minimum usage requirements; otherwise, they will be subject to withdrawal consistent with standard FAA procedures. Should the FAA grant the temporary relief requested, Delta commits to the following actions for the peak summer season:

1. upgauge flights operating into and out of the NY/NJ Airports and DCA to the maximum extent possible to accommodate as many customers as practicable;
2. make full utilization of existing slots from DCA to non-NY/NJ Airport destinations;
3. notify customers affected by changes resulting from the voluntary return of slot/approved operating schedules and make efforts to meet consumer needs by offering comparable flight alternatives (including service on another carrier as needed or refunds if the customer so chooses); and
4. develop and publicly communicate a resilience plan that describes measures Delta will take to mitigate disruptions for customers travelling to or through the NY/NJ Airports for foreseeable summer 2023 conditions.

We also commit to working with the FAA and DOT to develop and implement a durable, long-term solution to constraints at the NY/NJ Airports.

We look forward to the FAA's prompt response.

Sincerely,

A handwritten signature in black ink, appearing to read "Jaqueline", written in a cursive style.