



WASHINGTON AVIATION SUMMARY

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CONTENTS

I.	REGULATORY NEWS.....	1
II.	AIRPORTS.....	5
III.	SECURITY AND DATA PRIVACY	7
IV.	TECHNOLOGY AND EQUIPMENT	8
V.	ENERGY AND ENVIRONMENT.....	9
VI.	U.S. CONGRESS.....	12
VII.	BILATERAL AND STATE DEPARTMENT NEWS.....	13
VIII.	EUROPE/AFRICA.....	14
IX.	ASIA/PACIFIC/MIDDLE EAST	16
X.	AMERICAS	18

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The Kirstein & Young law firm specializes in representing U.S. and foreign airlines, airports, leasing companies, financial institutions and aviation-related companies before U.S. Government agencies, Congress, the courts and in commercial and financing matters.

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I. **REGULATORY NEWS**

1. **Five-Year FAA Reauthorization Enacted.**

The “Federal Aviation Administration (FAA) Reauthorization Act of 2024” was signed into law by President Joe Biden, after approval by Congress. The bipartisan bill authorizes \$105 billion in appropriations for FAA for fiscal years 2024 through 2028, including: \$66.7 billion for operations to fund programs from aircraft certification reform to air carrier oversight, and enable hiring, training and retention of staff like air traffic controllers and technical engineers; \$17.8 billion for facilities and equipment; \$19.35 billion for airport infrastructure improvement grants; and \$1.59 billion for research, engineering and development. . . . H.R. 3935 implements a requirement for automatic refunds when flights are cancelled or significantly delayed, overlapping with a recent Department of Transportation (DOT) rule. . . . Airlines for America (A4A) said the bill “makes crucial investments in our national airspace infrastructure [and] works to address the air traffic controller shortage by dictating that the FAA adjusts their current staffing model and hires the maximum number of controllers.” . . . The bill had strong support from labor. Air Line Pilots Association, Int’l (ALPA) commended Congress for “beating back efforts to lower standards” and rejecting “attempts to arbitrarily raise the pilot retirement age”; for “including measures to break down barriers, open up opportunities to ensure a robust and qualified pipeline of aviators, and provide air-service support for those living in rural and small communities”; and for advancing the ball on requiring secondary flight deck barriers for existing passenger aircraft, enhancing runway and airport alerting systems and directing FAA to develop a standardized system for voluntarily reporting smoke and fume events on passenger-carrying aircraft. . . . Among other things, the bill increases slot exemptions at Reagan Washington National, adding five new round trips, a provision strongly pushed for by Delta-backed Capital Access Alliance (CAA). It mandates 25-hour cockpit voice recording technology; triples civil penalties for airlines for each consumer violation to \$75,000; and improves aircraft evacuation standards, requiring FAA to initiate a rulemaking on expert panel recommendations.

2. **NTSB Reauthorized; Chair Homendy Confirmed for Another Term.**

The “FAA Reauthorization Act of 2024” authorizes \$738 million in appropriations for the National Transportation Safety Board (NTSB) through FY2028. Among other things, the bill authorizes additional workforce training; ensures access to recordings, design specifications, and other data from entities subject to investigation by NTSB; and broadens scope of assistance

required to be provided by airlines to passengers and families of passengers who are affected by accidents. . . . In other news, Jennifer Homendy was confirmed by the Senate to serve another five-year term on NTSB and another three-year term as Chair.

3. Boeing Accused of Violating Max Prosecution Agreement.

Boeing violated terms of a deferred prosecution agreement entered to avoid a criminal charge that it conspired to defraud FAA by misleading regulators during 737 MAX certification, asserted the U.S. Department of Justice in a filing in federal court. The settlement required Boeing to implement a program to prevent violations of federal anti-fraud laws. However, in the January 5 Alaska Airlines incident, in which a door plug came off in flight, it was found that Boeing delivered the plane without bolts that hold the door in place, and no paperwork documenting the installation could be found. Boeing stated that it believes it has honored the terms of the settlement.

4. Boeing Prepares for FAA Meeting on Quality Plans.

In February, Boeing was given 90 days to develop a Safety and Quality Plan to address quality control issues, following the January 5 Alaska Airlines incident. Boeing CEO Dave Calhoun and other company officials are meeting with FAA Administrator Mike Whitaker to discuss the plan. In public updates, Boeing said it added “new training material for manufacturing and quality roles that averages about 20-50 more training hours per employee, depending on work scope.” Employees at more than 20 sites participated in sessions that generated more than 35,000 comments, many of which were to be included in the 90-day plan submitted to FAA; common themes are “obstacles in their work, ideas and suggestions to improve.”

5. A4A Challenges DOT’s Ancillary Fee Transparency Rule.

Calling DOT’s Enhancing Transparency of Airline Ancillary Fees rule , “a bad solution in search of a problem,” Airlines for America, with members Alaska, American, Delta, Hawaiian, JetBlue and United, filed a Petition for Review with the Fifth Circuit Court of Appeals. They seek an order to vacate and set aside the final rule, arguing that it is “arbitrary, capricious, an abuse of discretion, and otherwise contrary to law.” DOT said it “will vigorously defend” the rule. The rule is planned to go into effect on July 1, 2024. However, many of the requirements do not apply until later this year or next year. In related news, International Air Transport Association (IATA) said new consumer protection rules “far exceed DOT’s authority to regulate the deregulated airline industry.” The ancillary fee rule “will render online searches less seamless and reduce price competition on optional airline services,” and the “Refunds and Other Consumer Protections” rule “will force airlines to provide automatic refunds for

delays or cancellations, irrespective of the cause of the disruption,” said IATA. These “one size fits all passenger service mandates, will raise airline costs which will ultimately be reflected in higher ticket prices.”

6. A4A Launches Campaign Urging FAA to Increase ATC Staffing.

Airlines for America launched a “Staff the Towers” campaign to urge DOT and FAA “to take swift action to address the nation’s urgent and dire air traffic controller (ATC) shortage.” The latest FAA Controller Workforce Plan shows the agency is still short 3,000 controllers, said A4A. “DOT and FAA must be transparent with stakeholders and the traveling public that funds the ATC system about their progress in both hiring and training controllers. Simply stating that they met their goal of hiring the maximum of 1500 controllers, does not tell the story about how many of those hires actually become certified professional controllers.” FAA said the industry’s own data shows that weather and airline issues cause far more delays than ATC capacity, reported Reuters.

7. DOT OIG Audits FAA Oversight of United’s Maintenance Program.

The DOT Office of Inspector General (OIG) is conducting an audit of FAA’s oversight of United’s maintenance programs, due to recent safety events such as flight diversions that can be traced to mechanical problems. Over the past five years, audit reports and recommendations related to FAA’s oversight of maintenance have been carried out at several air carriers, said the OIG. In this audit, “we will evaluate FAA’s actions to address maintenance non-compliances and violations at the air carrier.”

8. OIG: “NextGen Will Be Less Transformational Than Promised.”

“NextGen will be less transformational than originally promised,” said the DOT OIG, in a review of the accuracy of an FAA progress report on implementing programs. The review was mandated by the FAA Reauthorization Act of 2018. The FAA report says all major NextGen systems will be in place by 2025; however, FAA plans to deploy each major system to at least one location by 2025, with full deployment going beyond 2025. The report projects \$100 billion in benefits by 2030, even though FAA had previously acknowledged that this amount was not achievable within that timeframe. In addition, FAA reported it is committed to working with industry on NextGen programs, but industry said transparency and collaboration declined starting in 2018. Of over 200 NextGen recommendations the OIG made from 2005 to 2022, DOT and FAA successfully closed all but three.

9. Hahn Air Fined \$26.8 Million for False Claims Act Violations.

Germany-based Hahn Air and its Minneapolis-based subsidiary agreed to pay \$26.8 million to resolve allegations that it violated the False Claims Act by

knowingly failing to remit to the United States mandatory passenger travel fees, from 2012 to 2018, announced the Justice Department. These include Animal and Plant Health Inspection Service Agricultural Quarantine and Inspection User Fees owed to the Department of Agriculture (USDA); Customs User Fees and Immigration User Fees owed to Customs and Border Protection and Passenger Civil Aviation Security Service Fees owed to the Transportation Security Administration. The settlement resolved a lawsuit filed under the whistleblower provision of the False Claims Act, which permits private parties to file suit on behalf of the United States for false claims and share in a portion of the government's recovery. As part of this resolution, the whistleblower will receive approximately \$4.8 million. Claims resolved by the settlement are allegations only; there has been no determination of liability.

10. FAA Approves Additional Antidepressant Medications.

FAA updated its list of conditionally acceptable antidepressants that pilots and air traffic controllers can take and maintain their medical certificates. The newly added medications, duloxetine (Cymbalta), venlafaxine (Effexor) and desvenlafaxine (Pristiq), are serotonin and norepinephrine reuptake inhibitors (SSRIs), commonly used to treat anxiety and depression.

11. Baggage Tracking Improves.

IATA said Resolution 753, which requires tracking baggage at acceptance, loading, transfer and arrival, has been fully implemented by 44% of airlines, according to a survey of 155 airlines and 94 airports. Regional variation in airline full adoption rates varies from 88% in China and North Asia, to 60% in the Americas, 40% in Europe and Asia-Pacific, and 27% in Africa. Airport preparedness varies by size: 75% of mega airports are capable, 85% of major airports, 82% of large airports and 61% of medium airports. Resolution 753 requires airlines to exchange baggage tracking messages with interline partners and their agents. IATA is leading the industry's transition to modern baggage messaging based on XML standards, with first pilot between airport and airlines planned to launch this year.

II. AIRPORTS

1. White House Update on Airport Infrastructure Projects.

The White House reported that \$15 billion of the \$25 billion provided for airport projects in the Infrastructure Investment and Jobs Act has been allocated. This includes \$3 billion through the Airport Terminals Program to over 300 projects, of which 100 are underway or complete. Additionally, through the Airport Infrastructure Grants Program over 1,000 grants for airport pavement projects were provided, of which over 600 are complete.

2. Justin Erbacci to Succeed De Oliveira as ACI World DG.

Justin Erbacci will succeed Luis Felipe de Oliveira as Director General and CEO of ACI World, effective September 2024. De Oliveira has served since 2020. Erbacci was CEO of NEOM Airports (Saudi Arabia) and Los Angeles World Airports, and has held positions at Star Alliance, Credit Suisse, United Airlines, Reese McMahon, Cambridge Management Consultants, and Deloitte Touche. ACI World is part of Airports Council International (ACI), which also includes ACI Africa, ACI Asia-Pacific and the Middle East, ACI Europe, ACI Latin America and the Caribbean, and ACI North America. ACI World Chair is Candace McGraw, who also is CEO of Cincinnati/Northern Kentucky International Airport.

3. O'Hare Terminal Area Program to Proceed.

City of Chicago and major airlines agreed on terms to proceed with the O'Hare Terminal Area Program (TAP). "We are extremely grateful to United Airlines, American Airlines, and other federal, state, and local stakeholders," said Mayor Brandon Johnson. Construction of the new the O'Hare Global Terminal and two satellite concourses is part of the \$8.5 billion O'Hare 21 project.

4. Oakland Airport Name Change Official.

The Oakland Board of Port Commissioners granted final approval to rename the Metropolitan Oakland International Airport to San Francisco Bay Oakland International Airport. The goal is "to attract more nonstop destinations by boosting travelers' geographic awareness of the airport's location on the San Francisco Bay." The OAK code and logo will not change. Interim Director of Aviation Craig Simon said OAK is the closest major airport to 58% of the Bay Area population. . . . San Francisco filed a lawsuit in April to prevent infringement of San Francisco International Airport's (SFO) trademark. SFO Airport Director Ivar Satero had acknowledged "the importance of passenger

growth to an airport,” but urged Port of Oakland to “work with San Francisco to find a collaborative solution that averts a protracted legal challenge.”

5. **New Terminal Planned for Phoenix Sky Harbor.**

A new terminal is planned for Phoenix Sky Harbor near former Terminals 1 and 2. This will be the first new terminal construction since Terminal 4 opened in 1990. Design details are underway. Planning and environmental preparation will take several years; construction anticipated to begin after 2030. The project will be funded with passenger facility charges, bonds and airport funding; no tax dollars will be used. The airport handled 48 million passengers in 2023. Projects currently underway include a taxiway, a Terminal 3 concourse, and a post-security walkway between Terminals 3 and 4.

6. **Montreal-Trudeau Objects to Local Airport Name Change.**

Aéroports de Montreal, which operates Montreal Trudeau International (YUL), requested a permanent injunction in Quebec Superior Court to force domestic airport Montreal Metropolitan (MET) to change its name, reports the Canadian Press, to avoid confusion for travelers. The former Saint-Hubert, located in Longueuil, adopted its new name in February, and with YHU Infrastructure Partners is building a C\$200 million terminal, to open in 2025 with nine boarding gates and capacity for four million passengers per year; Porter will be the primary airline. Montreal Trudeau carried more than 21 million passengers in 2023. . . . Charles Roberge was named CEO of YHU Infrastructure and will supervise commercial operations of the new terminal at MET. He succeeds Interim CEO and Board Member Daniel Toutant, who will serve as President of YHU Infrastructure Partners, managing construction of the terminal and stakeholder engagement. Roberge previously was President and CEO of Swissport Canada.

7. **Dubai Building “World’s Largest” Terminal at Al Maktoum.**

Dubai approved designs for a \$35 billion terminal at Al Maktoum International (DWC), which, said officials, “will enjoy the world's largest capacity, reaching up to 260 million passengers [and] will accommodate 400 aircraft gates and feature five parallel runways.” Dubai International (DXB) meanwhile “will continue to serve as the primary hub, meeting the needs of 100 million plus guests over the next few years as phase two of DWC takes shape,” said Paul Griffiths, CEO of Dubai Airports.

III. SECURITY AND DATA PRIVACY

1. TSA Screens Nearly Three Million Passengers at Start of Holiday.

During the 2024 Memorial Day weekend from Friday, May 24 to Monday, May 27, the U.S. Transportation Security Administration (TSA) screened 10.5 million travelers at airports nationwide. This is an increase of 8% over 2023 volumes. In an Airlines for America forecast for summer travel (June 1 to August 31), U.S. carriers plan to fly more than 26,000 daily flights, or 5.6% more than last year. . . . In other news, nationwide, TSA officers have discovered more than 2,500 firearms this year to date, 93% of which have been loaded.

2. CLEAR Becomes Third TSA PreCheck Enrollment Provider.

CLEAR is now offering TSA PreCheck enrollment and renewal services at Orlando, Sacramento and Newark Liberty airports. Membership may be renewed online with CLEAR, IDEMIA or Telos, regardless of initial enrollment provider. The TSA PreCheck program has more than 19 million members.

3. DHS “Better Ballistic Body Armor Act” Introduced.

See Section VI, item 1.

IV. TECHNOLOGY AND EQUIPMENT

1. Sabre Introduces New Retailing Platform for Airlines.

Sabre introduced a retailing platform that encompasses 10 new product suites, from offers and orders to settlement and delivery, as well as Sabre’s existing AI-powered Retail Intelligence solutions. SabreMosaic enables airlines to create, sell and deliver a personalized and dynamic retailing experience, while creating new revenue opportunities. “A big part of our transformation toward convenient, consistent, and connected travel journeys for our customers is the transition to modern technology, including Offer and Order Management solutions,” said American Airlines, which is collaborating with Sabre on a proof-of-concept for SabreMosaic “that keeps a seamless traveler experience at the core.”

2. Emirates Signs Agreements for Technology Solutions.

Emirates reaffirmed its decade-long partnership with Expedia Group, collaborating to promote select strategic destinations on its platform and making it easier for travelers to seamlessly book their Emirates journeys. Additional joint marketing campaigns will be implemented, leveraging data insights to optimize user experiences and drive engagement for Emirates on Expedia Group sites. . . . Emirates will expand its Business Rewards partnerships by joining forces with Tap Payments, which “facilitates online payments across the region by connecting businesses with simple, secure and unified payment experiences.” . . . Emirates and Huawei enhanced their strategic cooperation to amplify brand awareness across the Middle East, Africa, and China. Emirates services will further be promoted through tailored sales campaigns in China, to drive user engagement. Emirates and Huawei reinforced their commitment to ensure continued development of the Emirates App within Huawei’s GalleryApp. The partnership launched in 2020 to promote the Emirates app to Huawei mobile users.

V. **ENERGY AND ENVIRONMENT**

1. **Fuel Bill for Global Airline Industry.**

Average price of aviation jet fuel for week ending May 10 was \$101.15 per barrel, down 6.5% on prior month's average, and down 9.9% on prior year's average, according to the Jet Fuel Price Monitor, a joint IATA-Platts initiative.

2. **Treasury, IRS Release Guidance on SAF Credit.**

The Treasury Department and Internal Revenue Service released guidance on the Sustainable Aviation Fuel (SAF) Credit, outlining changes to the current Greenhouse Gases, Regulated Emissions, and Energy Use in Technologies (GREET) model. The credit incentivizes production of SAF that achieves a lifecycle greenhouse gas emissions reduction of at least 50% as compared with petroleum-based jet fuel.

3. **Sustainable Aviation Fuel Coalition Formed.**

The Sustainable Aviation Fuel Coalition has been formed "to rapidly scale investment in the SAF sector and advocate for the incentives and policies necessary to promote U.S. economic competitiveness in the emerging SAF marketplace." The group, based in Washington, DC, is comprised of airlines and aircraft operators, agricultural enterprises, aircraft and aircraft equipment manufacturers, airports, technology developers, labor unions and biofuel producers. Alison Graab is Executive Director.

4. **FAA Releases Final Rule for nvPM Engine Emissions.**

FAA released a final rule that sets maximum standards for the amount of non-volatile particulate matter (nvPM) emissions from U.S. civil aircraft engines. It aligns with Environmental Protection Agency (EPA) recommendations and International Civil Aviation Organization (ICAO) standards. Ultrafine carbon particles produced by aircraft engines are an inhalation concern for humans. Also, nvPM emissions can become the nucleus for persistent contrails.

5. **IATA Calls for Study of Climate Effect of Contrails.**

A newly released report, "Aviation Contrails Climate Effect: Tackling Uncertainties & Enabling Solutions," from IATA, urges action to deepen understanding of the formation and climate impact of contrails, in order to develop effective mitigation measures. The lack of high-resolution, real-time data on atmospheric conditions (particularly humidity and temperature at cruising altitudes) hinders precise contrail forecasting. Recommendations for action are divided into immediate term (2024-2030), mid-term (2030-2040) and

longer-term (2040-2050). The report will be discussed at the upcoming IATA Annual General Meeting in Dubai, June 2-4.

6. DOT Funds New Climate and Transportation Research Center.

DOT announced \$1.7 million in funding for a Climate Change and Transportation Research Center at the University of California, Davis. The new Center for Emissions Reduction, Resiliency, and Climate Equity in Transportation will advance technologies to support clean energy goals, accelerate decarbonization of the sector, strengthen resilience of the transportation infrastructure, and address environmental inequities created by the transportation system, said officials. The Center is comprised of partner institutions, including California State Long Beach, Texas Southern University, University of California, Riverside, University of Southern California, and the University of Vermont, to collectively execute research activities.

7. Feasibility Study of Hydrogen Hub at Hartsfield Atlanta Underway.

Delta, Airbus and Plug Power are conducting a study on the feasibility of a hydrogen-based hub at Hartsfield-Jackson Atlanta, which will help define infrastructure, operational viability, and safety and security requirements, and contribute to the understanding of hydrogen supply and infrastructure requirements at airports around the world. The study is scheduled for completion at end of 2026.

8. Hydrogen, SAF Hub at Pittsburgh International Planned.

An integrated facility that can annually produce hydrogen solely (up to 68,000 metric tons) or SAF exclusively (up to 70 million gallons) is planned for Pittsburgh International (PIT), in collaboration with KeyState Energy and CNX Resources. KeyState and development partners will secure financing for the \$1.5 billion project, while CNX will provide feedstock services and technical engineering support. The airport will provide strategic advisory planning and industry expertise. KeyState and CNX are also seeking a federal grant to conduct a logistics study on how fuels produced at PIT can be cost-effectively transported to airports throughout the northeast and midwest through various modes, including use of existing or constructing new pipeline infrastructure, barge, and rail.

9. Airbus, ZeroAvia Consider Canadian Airport Hydrogen Hubs.

Airbus and ZeroAvia plan to study the feasibility of hydrogen infrastructure at Montreal Trudeau, Toronto Pearson and Vancouver to “provide better understanding of hydrogen aircraft concepts and operations, supply, infrastructure and refueling needs at airports, with the goal of developing the hydrogen aviation ecosystem across the country,” said officials. In 2020,

Airbus unveiled the first ZEROe concept with a goal to bring the world's first hydrogen-powered commercial aircraft to market by 2035. Airbus has also launched the "Hydrogen Hub at Airports" program "to jumpstart research into infrastructure requirements and low-carbon airport operations, across the entire value chain." Agreements have been announced with partners and airports in France, Germany, Italy, Japan, New Zealand, Norway, Singapore, South Korea, Sweden and the United Kingdom. ZEROe wants to develop its hydrogen visibility and partnership network in North America. ZeroAvia has an active certification application for a powertrain (ZA600) for 10-20 seat aircraft, is developing a second engine (ZA2000) for 40-80 seat aircraft, and is working to develop production, storage and dispensing technologies.

10. Emirates Operating with SAF at London Heathrow.

Emirates has taken delivery of SAF from Shell Aviation at London Heathrow. Over 3,000 metric tonnes of neat SAF, blended with conventional jet fuel, will be supplied into the fueling infrastructure network of the airport until the end of summer 2024. Heathrow's SAF Incentive Program, launched in 2022, expects to support use of up to 155,000 tonnes of SAF this year. Emirates last year collaborated with Shell Aviation to supply SAF into Dubai Airport fueling systems and plans to work with local partners at Singapore Changi for the supply of SAF through the airport's fueling systems.

VI. U.S. CONGRESS

1. Five-Year FAA Reauthorization Enacted.

See Section I, item 1.

2. NTSB Reauthorized; Chair Homendy Confirmed for Another Term.

See Section I, item 2.

VII. BILATERAL AND STATE DEPARTMENT NEWS

1. U.S.-Nigeria Open Skies Agreement Enters into Force.

The U.S.-Nigeria Air Transport Agreement, which has been provisionally applied since 2000, entered into force on May 13. It includes provisions that allow for unrestricted capacity and frequency of services, open route rights, a liberal charter regime, and open code sharing opportunities. “This bilateral agreement establishes a modern civil aviation relationship with Nigeria consistent with U.S. Open Skies international aviation policy and with commitments to high standards of aviation safety and security,” said the State Department, and “a is a step forward in liberalizing the international civil aviation sector in Africa.”

2. U.S.-Peru Pact Affects Civil Aviation Security.

The United States and Peru welcomed the entry into force of an aerial interception agreement, which increases security cooperation and civil aviation protections in accordance with international law.

VIII. EUROPE AND AFRICA

1. Delta Restarts New York-Nigeria Service, Adds Tampa-Amsterdam.

Delta is relaunching service to Lagos from New York Kennedy on December 1, initially daily, then three times weekly from January 16. Delta currently operates daily service between Atlanta and Lagos. Fleet enhancements in service to Accra and South Africa are also underway. . . . Delta begins daily winter season service between Amsterdam and Tampa on October 26. Other new and resumed international routes include Atlanta to Zurich; New York to Shannon, Munich and Naples; Minneapolis to Dublin and Reykjavík; Detroit to Rome; and Seattle to Taipei.

2. IAG Acquisition of Air Europa Uncertain.

In a preliminary judgement, the European Commission said the proposed acquisition of Air Europa by International Consolidated Airlines Group (IAG) may restrict competition on routes within, to and from Spain. IAG has until June 10 to address concerns of the Commission, which will make a final decision by July 15. Spain-based IAG controls Iberia, Vueling, British Airways, Aer Lingus, FLYLEVEL UK and IAG Cargo. British Airways and Iberia are oneworld members. SkyTeam member Air Europa is owned by Spanish tourism group Globalia.

3. Iberia to Operate A321XLR to Boston, Washington.

Iberia will be the first airline to incorporate the new Airbus A321XLR into its fleet, likely for flights to Boston and Washington. The single-aisle aircraft will have 182 seats, including 14 in business class that convert to beds.

4. Aer Lingus to Offer Seasonal Las Vegas Service.

Aer Lingus will begin three weekly nonstops from Dublin to Las Vegas on October 25. The Airbus A330-300 service ends on April 29, 2025. Las Vegas welcomed more than 52,000 visitors from Ireland last year, said city officials. Aer Lingus will operate 19 transatlantic routes in 2024 from Dublin and Shannon and three from Manchester.

5. JetBlue Begins New York to Edinburgh Service.

JetBlue introduced nonstop seasonal service from New York Kennedy to Edinburgh, its fifth transatlantic market. The daily Airbus A321neo flights will operate through September 30. . . . JetBlue and British Airways applied to DOT to code share on services from London, New York and Boston. British Airways is in a transatlantic joint venture with American, which briefly

partnered with JetBlue on U.S. northeast routes. JetBlue also partners with IAG unit Aer Lingus.

6. Icelandair Begins Seasonal Service to Pittsburgh.

Icelandair launched seasonal service between Iceland and Pittsburgh, its 16th destination in North America. The four weekly flights will operate until the end of October. President and CEO Bogi Nils Bogason said “passengers from 25 European destinations have booked to Pittsburgh and travelers from Pittsburgh have booked flights to 30 destinations in Europe.”

7. Germany Raises Passenger Tax.

Germany raised taxes on flying by 19% to between €15.53 and €70.83 per passenger, depending on the route. IATA said the increase will affect the country’s air transport recovery from the pandemic, “which is one of the slowest in the EU. Germany’s international passenger numbers, for example, are still 20% below pre-pandemic levels.”

8. easyJet’s Johan Lundgren to Step Down.

easyJet CEO Johan Lundgren will step down on January 1, 2025, to be succeeded by Kenton Jarvis who joined easyJet in 2021 and has since served as a Board member and CFO. Jarvis was a CEO of TUI's airline division and has held positions at Adidas and Airtours Holidays. . . . easyJet will open its tenth UK base next March. Three Airbus A320neo aircraft will be based at London Southend Airport, with six new routes launching to popular leisure destinations for summer 2025 and more to be announced.

9. U.S.-Nigeria Open Skies Agreement Enters into Force.

See Section VII, item 1.

IX. ASIA/PACIFIC AND MIDDLE EAST

1. SIA Passenger Dies in Extreme Turbulence Event.

A passenger died on a Singapore Airlines (SIA) flight from London Heathrow on May 20, when the Boeing 777-300ER encountered sudden extreme turbulence over the Irrawaddy Basin at 37,000 feet, about 10 hours after departure. The pilot declared a medical emergency and diverted flight SQ321 to Bangkok. Initially, 18 individuals were hospitalized and 12 treated in hospitals. The 211 passengers and 18 crew were of varying nationalities, including four from the U.S. SIA is working with authorities on the incident investigation and providing updates on Facebook and X (twitter). CEO Goh Choon Phong met those affected in Bangkok. . . . Association of Flight Attendants-CWA said initial reports seem to indicate “clear air turbulence, the most dangerous type. It cannot be seen and is virtually undetectable with current technology. One second, you’re cruising smoothly; the next, passengers, crew and unsecured carts or other items are being thrown around the cabin. Always follow crew instructions and wear your seatbelt whenever seated. It is a matter of life and death.”

2. Qatar Passengers Injured in Turbulence Incident.

Qatar Airways flight QR017 experienced turbulence over Turkey while enroute from Doha to Dublin on May 26. The Boeing B787-9 was met by emergency services, due to six passengers and six crew reporting injuries, reported Dublin Airport. All passengers were assessed for injury prior to disembarking; eight were taken to hospital. The airline said the matter is subject to an internal investigation. . . . In the United States, NTSB requires airlines to report serious injuries and fatalities due to turbulence. FAA tracks these reports, but not general incidents of turbulence. From 2009 to 2022, there were 163 serious turbulence injuries (34 passengers and 129 crew).

3. Air Premia Launches Incheon-San Francisco Route.

Incheon-based Air Premia launched four weekly flights to San Francisco, its third U.S. route following Los Angeles and New York.

4. Atlas Air Worldwide, Nippon Cargo Renew Partnership.

Atlas Air Worldwide and Nippon Cargo renewed their Air Transportation Services Agreement (ATSA). “We look forward to further strengthening our collaboration and leveraging the distinctive features of the Boeing 747 freighter,” said CEOs Michael Steen and Hiroyuki Homma.

5. JetBlue, Etihad Add Loyalty Benefits.

JetBlue and Etihad added reciprocal loyalty benefits to their code share partnership, introduced in 2014, “which delivers access between New York and Boston to Etihad’s global network of more than 70 destinations and over 40 destinations across JetBlue’s network within the Americas.”

6. Emirates, Avianca Code Share Via European Gateways.

In a new partnership, Emirates and Avianca are code sharing on flights between Barcelona, Madrid or London Heathrow and Dubai, with connections to points in Colombia, beginning June 4. . . . Emirates is expanding its retrofit program to 191 aircraft, completely refurbishing another 43 Airbus A380s and 28 Boeing 777s.

7. Qantas Reaches Agreement with ACCC.

Qantas reached agreement with Australian Competition and Consumer Commission (ACCC) to resolve court proceedings in relation to post-COVID flight cancellation processes. Qantas will undertake a \$20 million remediation program for some 86,000 consumers who booked flights scheduled to depart after Qantas had decided to cancel them. Payments will range from \$225 for domestic/trans-Tasman and \$450 for international flights, regardless of any refund or alternative flight already offered. Subject to approval of Federal Court of Australia, Qantas will also pay a \$100 million civil penalty. CEO Vanessa Hudson said the airline “has updated processes and is investing in new technology. . .to ensure this doesn’t happen again.” ACCC said it “is no longer proceeding with claims against Qantas about wrongful acceptance of payment, including any allegation that Qantas received payment for a service it did not, and had no intention of, providing. All affected customers were given the option of a refund or an alternate flight.”

8. Saudia Orders 105 A320neo Aircraft.

Saudia Group signed a firm order for an additional 105 Airbus A320neo Family aircraft, for use by Saudia and low-cost flyadeal, bringing the Group’s A320neo family order backlog to 144. Saudia will acquire 54 A321neo aircraft and low-cost flyadeal will receive 12 A320neo and 39 A321neo aircraft.

X. AMERICAS

1. Delta Plans 6% Capacity Increase This Summer.

Delta expected nearly 3 million passengers during the Memorial Day period, May 23-27, a 5% increase from last year, and anticipates a 6% capacity increase this summer in domestic and international seats versus 2023.

2. Vasu Raja to Leave American.

American Airlines Group announced that Vasu Raja, Executive Vice President and Chief Commercial Officer, will depart in June. Raja previously was Chief Revenue Officer and Senior Vice President of Network Strategy, where he was responsible for Network and Alliances; he joined American in 2004. Stephen Johnson, Vice Chair and Chief Strategy Officer, replaced Raja and retains his current responsibilities amid a search for a new Chief Commercial Officer. . . . American cut its earnings forecast for the current quarter and will slow capacity growth in second half. CEO Robert Isom said the company is evaluating its current sales and distribution strategy, which requires customers to make bookings directly with the airline instead of through third-party sites and travel agencies. A policy limiting some travel agency bookings from being eligible to earn frequent flyer miles is off, he said.

3. Alaska Airlines Flight Attendants Meet with NMB.

Representatives of Alaska Airlines flight attendants met with the National Mediation Board (NMB), “not to press for a ‘release to strike,’ because we are not yet at an impasse, [but] to familiarize the Board with our struggle,” said Association of Flight Attendants-CWA, AFL-CIO (AFA). “We are committed to the quick resolution of our negotiations,” said AFA. “However, that must result in a paradigm shift in compensation.” A recent AFA survey found that many Alaska flight attendants experience “notable financial insecurity and stress due to stagnant pay [and] have to choose between buying groceries and paying their bills . . . The time has come for management to reach an agreement or face CHAOS.” Earlier this year, most Alaska flight attendants voted to authorize a strike “after a year of delay tactics from management.” It would be their first strike since 1993.

4. Spirit to Open Crew Base at Newark Liberty.

Spirit Airlines is opening a crew base for pilots in September at Newark Liberty where it has up to 32 peak day departures and service to 22 destinations. Other crew bases are in Atlanta, Chicago, Dallas, Detroit, Fort Lauderdale, Houston, Las Vegas, Miami and Orlando. . . . In partnership with San Jose

Mineta, Spirit is applying to DOT to launch nonstop service to Reagan Washington National. a slot made available by the recent FAA Reauthorization Act. Spirit currently offers nonstops to Dallas-Fort Worth, Las Vegas and San Diego from San Jose, which is one of the largest U.S. cities without nonstop service to Washington, D.C. . . . Spirit announced new initiatives that include elimination of change and cancel fees.

5. Spirit and Frontier Change Fee Policies.

Spirit and Frontier Airlines are eliminating change and cancellation fees. Spirit Airlines has ended all change and cancel fees for all classes of tickets. Travelers can change their flights up to an hour before the scheduled departure time. Cancellations made less than 24 hours after booking will receive a refund to the traveler's form of payment, while cancellations made more than 24 hours after booking will receive Reservation Credits, which will be valid for one year. Frontier is eliminating change and cancel fees from economy, premium and business class reservations and not from basic class reservations.

6. Breeze Pilots Demand Industry-Standard Contract.

Breeze Airways pilots held their first informational picket, at Norfolk International, to send a clear message "that it's time to stop putting its profits over its pilots and deliver an industry-standard contract," said Air Line Pilots Association, adding that pilots have been in active negotiations for their first collective bargaining agreement for more than a year and half. . . . Breeze flight attendants certified the Association of Flight Attendants as their bargaining representative, "due to ongoing issues with constantly-changing work rules, substandard pay for time on the job, inadequate hotel accommodations, insufficient work hours, and inconsistent and disrespectful treatment from management." AFA said they "faced an aggressive anti-union campaign run by management up to the CEO [David Neeleman]." . . . Three-year-old Breeze announced plans to expand operations from Providence, RI over the next five years, received its 25th Airbus A220-300, and offered 33% off roundtrip flights from May 29 through October 1.

7. Frontier, Volaris Resume Code Sharing.

Frontier resumed code sharing with Volaris on flights between the U.S. and Mexico. Volaris customers can book to all Frontier U.S. destinations. Both airlines term themselves "ultra-low-cost." . . . DOT approved Frontier's request to use the Frontera trade name for certain operations. The carrier reportedly plans to use the name in the Latin American market.

8. GOL Announces New Five-Year Plan, Code Share with Azul.

GOL announced a new five-year financial plan, in connection with ongoing Chapter 11 proceedings. “With a clear plan in place, we can begin preparing for the competitive exit financing process we will begin shortly,” said CEO Celso Ferrer. . . . GOL and Azul announced a code share agreement that covers all Brazilian routes operated exclusively; routes operated by both carriers are not included. Azul, founded by David Neeleman, is the largest airline in Brazil by number of departures and cities served. GOL, part of the Abra Group, has alliances with American Airlines and Air France-KLM.

9. DOT Alerts Passengers on Required Southwest Compensation.

See Section I, item 3.

10. Delta Restarts New York-Nigeria Service, Adds Tampa-Amsterdam.

See Section VIII, item 1.

11. Iberia to Operate A321XLR to Boston, Washington.

See Section VIII, item 3.

12. Aer Lingus to Offer Seasonal Las Vegas Service.

See Section VIII, item 4.

13. JetBlue Begins New York to Edinburgh Service.

See Section VIII, item 5.

14. Icelandair Begins Seasonal Service to Pittsburgh.

See Section VIII, item 6.

15. Air Premia Launches Incheon-San Francisco Route.

See Section IX, item 3.

16. Atlas Air Worldwide, Nippon Cargo Renew Partnership.

See Section IX, item 4.

17. JetBlue, Etihad Add Loyalty Benefits.

See Section IX, item 5.

18. Emirates, Avianca Code Share Via European Gateways.

See Section IX, item 6.