



THE SECRETARY OF TRANSPORTATION
WASHINGTON, DC 20590

December 29, 2022

Mr. Robert Jordan
Chief Executive Officer
Southwest Airlines

Dear Mr. Jordan:

The level of disruption Southwest customers have experienced over the Christmas holiday and into the New Year is unacceptable. I want to reiterate what you have heard me say often: Americans expect when they purchase an airline ticket that they will arrive at their destination safely, reliably, and affordably.

While weather can disrupt flight schedules, the thousands of cancellations by Southwest in recent days have not been because of the weather. Other airlines that experienced weather-related cancellations and delays due to the winter storm recovered relatively quickly, unlike Southwest. Yesterday, Southwest cancelled 59 percent of its flights, while other major airlines cancelled 3 percent. As Southwest acknowledges, the cancellations and significant delays at least since December 24 are due to circumstances within the airline's control.

For many, Southwest's severe flight disruptions have resulted in missed time with loved ones during the holidays and in being separated for a prolonged period from their luggage even if they never boarded a flight. Consumers have also been frustrated at their inability to contact Southwest to get information or find alternative ways to reach their destination. Travelers are stuck at airports, facing the possibility of spending significant amounts of money to find another way of getting where they need to go. No amount of financial compensation can fully make up for passengers who missed moments with their families that they can never get back—Christmas, birthdays, weddings, and other special events. That's why it is so critical for Southwest to begin by reimbursing passengers for those costs that *can* be measured in dollars and cents.

I appreciated our discussion earlier this week and your sharing steps that Southwest is taking to address these difficulties. I have four priorities, which I believe you share:

- Getting stranded passengers to their destinations safely and quickly.
- Providing or reimbursing passengers for meals, hotels, and ground transportation to or from hotels.
- Promptly refunding affected passengers for their cancelled tickets should the passenger not accept alternative offered such as rebooking.
- Ensuring that passengers are quickly reunited with their baggage.

Getting Passengers to their Destination

Southwest should ensure that every available resource is being used to assist stranded passengers in finding a way to reach their destination as quickly as possible. Southwest has stated that it will honor reasonable requests for reimbursement for alternate transportation, such as other airline tickets, Amtrak, or rental cars, for those impacted by a flight cancellation or significant flight delay between December 24, 2022, and January 2, 2023. It would be an unfair and deceptive practice not to fulfill this commitment to passengers. The Department will use the fullest extent of its investigative and enforcement powers to hold Southwest accountable if it fails to adhere to the promises made to reimburse passengers for costs incurred for alternate transportation.

Providing Meals, Hotels and Ground Transportation to and from Hotels

Southwest has committed to providing meals when a controllable cancellation or delay results in passengers waiting for 3 hours or more for a new flight. This includes all passengers traveling between December 24th and January 2nd who experienced a cancellation or significant delay. In addition, Southwest has promised to provide hotel accommodations and ground transportation to and from hotels for any passenger affected by a controllable overnight delay or cancellation. The Department will take action to hold Southwest accountable if it fails to fulfill commitments that the airline has made in its customer service plans for controllable delays and cancellations.

Refunding Passengers

Under the law, Southwest must provide prompt refunds when a carrier cancels a passenger's flight or makes a significant change in the flight, regardless of the reason, unless the passenger accepts rebooking. This means Southwest must provide refunds within seven business days if a passenger paid by credit card, and within 20 days if a passenger paid by cash, check, or other means. The Department will use the full extent of its investigation and enforcement authority to ensure Southwest complies with its refund obligations.

Reuniting with Baggage

Southwest communicated to the Department that all baggage has been scanned and that there will be greater transparency for customers about where their bags are currently located, where they want them sent, and when they'll receive them. We expect you to make every effort, including alternate shipping methods, to get baggage back to customers as quickly as possible. Also, under DOT's regulation, Southwest is required to reimburse passengers up to \$3,800 for provable direct or consequential damages resulting from the disappearance of, damage to, or delay in the delivery of a passenger's baggage.

In the coming days, I expect that Southwest will have repositioned its people and aircraft and be on track to resume normal operations. I recognize that Southwest's employees, from customer service agents to ground staff to flight crews, are working extremely hard, under trying circumstances, to help the airline return to normalcy. These frontline employees are not to blame for mistakes at the leadership level. I hope and expect that you will follow the law, take the steps laid out in this letter, and provide me with a prompt update on Southwest's efforts to do right by the customers it has wronged.

Sincerely,



Pete Buttigieg