



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Operating Limitations at Chicago O'Hare International Airport, Order Establishing Scheduling Limits

AGENCY: Department of Transportation (DOT), Federal Aviation Administration (FAA).

ACTION: Order establishing scheduling limits at Chicago O'Hare International Airport.

I. Introduction

Following delay reduction meetings conducted under 49 U.S.C. § 41722, this Order establishes a temporary limit on the number of scheduled operations at Chicago O'Hare International Airport (ORD). It allocates those operations based on Summer 2025 (*i.e.*, March 30, 2025, through October 25, 2025) approved schedules under standard International Air Transportation Association (IATA) Level 2 schedule facilitation guidelines. Unapproved air carrier schedules published at ORD well after the conclusion of the standard Level 2 facilitation process and proximate to the beginning of the Summer 2026 scheduling season ("Summer 2026", *i.e.*, March 29, 2026, through October 24, 2026) will exceed the airport's capacity throughout Summer 2026 based on current factors such as airport construction and competitive scheduling dynamics occurring between the two largest carriers at the airport. Therefore, the Federal Aviation Administration (FAA) has determined that 2,708 operations per day is the level that will maximize capacity at the airfield in the Summer of 2026 without resulting in delays that are worse than those experienced in the Summer of 2025.

By establishing this scheduling limit, this Order will achieve significant public benefits in Summer 2026 by improving airspace and airfield safety and efficiency, reducing surface movement in the constrained taxiway environment, mitigating the substantial inconvenience to the traveling public caused by excessive flight delays at the airport, and will meet a serious transportation need by preventing widespread operational disruption at ORD and throughout the National Airspace System (NAS) during Summer 2026. This Order takes effect on May 17,

2026, and expires on October 24, 2026. As discussed further below, the FAA believes that significant progress on airfield construction through the Summer 2026 season will reduce the likelihood of the need for the scheduling limit beyond the end of the season.

II. Background

Authority

In this matter, using authority provided in 49 U.S.C. § 41722, the Secretary of Transportation requested that the Administrator convene meetings involving air carriers serving ORD to reduce overscheduling and flight delays during hours of peak operation in Summer 2026. Consistent with the statutory standards, the Secretary determined that the meetings were necessary to meet a serious transportation need or achieve an important public benefit, and the Administrator conducted the meetings.

The U.S. Government has exclusive sovereignty over the airspace of the United States,¹ and the Department of Transportation, including the FAA, has broad authorities to address safety, efficiency, economic, and competitive issues affecting the airline industry. As part of these broad authorities, the Administrator may assign by regulation or order the use of the airspace as necessary to ensure the safety of aircraft and the efficient use of the airspace.² The Administrator may modify or revoke an assignment when required by the public interest.³ The Administrator considers as being in the public interest, among other things, controlling the use of the navigable airspace and regulating operations in that airspace in the interests of safety and efficiency.⁴ In carrying out his responsibilities under the Federal Aviation Act, the Secretary considers as being in the public interest, among other things: maintaining the availability of a variety of adequate, economic, efficient, and low-priced services without unreasonable

¹49 U.S.C. § 40103.

² 49 U.S.C. § 40103(b)(1), as previously codified in 49 U.S.C. App. § 307(a). Title 49 was recodified by Pub. L. 103-222, 108 Stat. 745 (1994). The textual revisions were not intended to result in substantive changes to the law. The recodification stated that the words in § 307(a) “under such terms, conditions, and limitations as he may deem” were omitted as surplus. H. Rpt. 103-180 (103d Cong., 1st Sess. 1993) at 262.

³ Id.

⁴ 49 U.S.C. § 40101(d)(4).

concentration; placing maximum reliance on competitive market forces and on actual and potential competition; and preventing unfair, deceptive, predatory, or anticompetitive practices in air transportation.⁵

ORD Level 2 Designation

On September 22, 2008, FAA designated ORD as a Level 2 schedule-facilitated airport under the International Air Transportation Association (IATA) Worldwide Slot Guidelines (WSG), effective at the start of the Summer 2009 scheduling season.⁶ FAA determined that the Level 2 designation was appropriate for ORD in advance of the termination of the provisions of Title 14 of the Code of Federal Regulations (CFR), Part 93, Subpart B—Congestion and Delay Reduction applicable to ORD set for October 31, 2008.⁷ This subpart prescribed rules and procedures for the scheduled operations and the assignment, transfer, sale, lease, and withdrawal of Arrival Authorizations at ORD. These rules were sunset with respect to ORD in light of the O’Hare Modernization Plan. The planned opening of a new runway that would increase capacity at the airport was set for shortly after the sunset date.⁸ At the time, FAA believed that it was unnecessary to continue those requirements provided in 14 CFR part 93 for scheduled operations because the new runway was intended to increase capacity at the airport. However, as the airport adjusted to the new capacity and as the O’Hare Modernization Plan continued to progress, FAA concluded that the Level 2 designation was necessary to facilitate the scheduling of operations so that the airport did not suffer from periods of overscheduling.⁹

On May 1, 2019, FAA temporarily suspended ORD’s Level 2 runway designation for the Winter 2019/2020 scheduling season while reviewing if the Level 2 designation was “provid[ing] substantive benefits to the traveling public by reducing potential runway congestion

⁵ 49 U.S.C. § 40101(a)(4), (a)(6) and (a)(9).

⁶ Notice of Submission Deadline for Schedule Information for O’Hare International, John F. Kennedy International, and Newark Liberty International Airport for the Summer 2009 Scheduling Season, 73 FR 54659 (September 22, 2008).

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

and delay.”¹⁰ The FAA's suspension of Level 2 schedule facilitation only impacted runway and did not change the airport's Level 2 Terminal designation.¹¹ Carriers still had to work with the terminal facilitator on schedule review consistent with prior seasons.¹² The suspension only impacted the Winter 2019/2020 scheduling season. On September 27, 2019, FAA announced that it concluded its review of Level 2 airports and Level 2 schedule facilitation at ORD as a Level 2 airport would resume at the start of the Summer 2020 scheduling season. To date, ORD remains a Level 2 airport.

FAA does not allocate slots, apply historic precedence, or impose minimum usage requirements under Level 2 at ORD. Level 2 schedule facilitation depends upon close and continuous discussions and voluntary agreement between carriers and FAA to reduce congestion. At Level 2 airports, FAA provides priority consideration for flights approved by FAA and operated by the carrier in those approved times in the prior scheduling season when FAA reviews proposed flights for facilitation in the next corresponding scheduling season. Only those flights that were operated as approved in the prior scheduling season generally receive priority for the next corresponding scheduling season. However, FAA notes that the usual Level 2 processes include flexibility for the facilitator to prioritize planned flights that are canceled in advance or on the day of the scheduled operation due to operational impacts beyond the control of the carrier.¹³

Summer 2025 Performance and Planned Summer 2026 Schedule

Daily scheduled operations for the Summer 2025 scheduling season peaked at approximately 2,680 total daily operations. In Summer 2025, ORD managed a total of 495,874

¹⁰ Notice of Submission Deadline for Schedule Information for John F. Kennedy International Airport, Los Angeles International Airport, Newark Liberty International Airport, and San Francisco International Airport for the Winter 2019/2020 Scheduling Season; Suspension of Level 2 at Chicago O'Hare International Airport, 84 FR 18630 (May 1, 2019).

¹¹ *Id.*

¹² *Id.*

¹³ Construction-Related Scheduling Relief Concerning Operations at Newark Liberty International Airport, Chicago O'Hare International Airport, Los Angeles International Airport, San Francisco International Airport, and Ronald Reagan Washington National Airport, March 1, 2025 Through June 15, 2025, and September 1, 2025, Through December 31, 2025, 89 FR 91544 (November 11, 2024).

operations (source: Cirium). Overall, the average on-time performance rate was approximately 75% (source: Cirium).¹⁴ Of the 247,929 departures at ORD during Summer 2025, only 56% of departures and experienced no delay (source: Cirium). Of the 247,945 arrivals at the airport during Summer 2025, only 58% experienced no delay (source: Cirium).

The reduced performance in 2025 was largely influenced by extensive construction projects at ORD. These included tollway construction along the western airport boundary, rehabilitation work on Taxiways A & B resulting in partial closures, and various taxiway closures paired with new routing to accommodate concrete work west of the main terminal area as part of the Terminal Area Plan (TAP). Additionally, Phase 2 of Taxiway LL construction, which involved the reconstruction of Taxiway N to accommodate Taxiway LL, further complicated operations.

Looking ahead to Summer 2026, many of these construction projects will continue. Tollway construction along the western boundary will persist, along with ongoing rehabilitation and partial closure of Taxiway A. TAP-related construction and continued work on Taxiway N will also proceed. Given these continued disruptions, the FAA anticipates similar operational challenges as those experienced in 2025.

Reducing the schedule at ORD for Summer 2026 is a strategic decision to mitigate expected performance issues. Proactively adjusting the daily scheduled operations will enhance on-time performance and minimize delays, thereby improving the overall efficiency and reliability of airport operations during this period of continued extensive construction.

On October 3, 2025, FAA issued the Schedule Submission Notice for Summer 2026. Consistent with the Worldwide Airport Slot Guidelines (WASG), FAA processed the ORD submissions in a timely fashion.¹⁵ After the initial slot allocation list (SAL) was issued to carriers

¹⁴ “On-time” in this instance means within 15 minutes of the scheduled arrival or departure time.

¹⁵ The currently effective version of the WASG is edition 4, effective August 1, 2025. However, despite several updates to the guidelines, the FAA generally applies its predecessor, the Worldwide Slot Guidelines (WSG), edition 9, to the extent there is no conflict with U.S. law or regulation. The WASG is published jointly by Airports Council International-World, IATA, and the Worldwide Airport Coordinators Group (WWACG). To avoid confusion, the

by FAA in November 2025, FAA continued to field requests for additional operations from carriers.

As noted in the March 3, 2026, Notice, currently published schedules exceed 3,080 daily operations on peak days (source: Cirium). The published schedule for a peak day in Summer 2026 represented a 14.9% increase from a peak day in Summer 2025. This proposed increase is significant and would stress the runway, terminal, and air traffic control systems at the airport in light of present operating conditions.

The Department of Transportation (DOT) and FAA determined that the increase in operations at ORD evident from published schedules will exceed the airport's capacity throughout the Summer 2026 scheduling season. In order to address DOT's and FAA's concerns that ORD had become overscheduled for the Summer 2026 scheduling season, the FAA Administrator, in coordination with the Secretary of Transportation, asked air carriers to participate in a scheduling reduction meeting to find a resolution to the overscheduling.

Scheduling Reduction Meetings

Understanding that the Summer 2026 scheduling season was to start on March 29, 2026, as conditions were evolving, FAA expeditiously convened a scheduling reduction meeting with U.S. domestic air carrier participants and representatives from the Chicago Department of Aviation (CDA). Representatives of the Department of Justice Antitrust Division monitored the joint and individual meeting sessions of the scheduling reduction meeting. The in-person sessions between air carriers and FAA and DOT were transcribed.

The initial session occurred on March 4, 2026. These discussions were based on targeted reductions proposed in the Notice dated March 3, 2026, with a daily cap target of 2,800 operations, with 100 arrivals and departures respectively per hour. This initial proposal reflected what would essentially be a freeze at then-current peak operations at ORD. However, through the

guidelines will be referred to generally as "WASG" throughout this document unless specifically referring to the WSG.

course of the proceedings, FAA proposed lowering the targeted operational limit as FAA grew concerned that ongoing airfield construction impacts would impede the ability of the airport to handle additional capacity over the peak Summer 2025 level (*i.e.*, approximately 2,600 daily operations).

During the proceedings, FAA also proposed using the Summer 2025 scheduling season as the baseline to fairly allocate the reductions among the major air carrier operators at the airport in such a way as not to unduly affect the competitive balance at the airport. FAA recessed the March 4, 2026, proceedings without an agreement from air carriers on reductions for Summer 2026.

After reviewing stakeholder input from the first round of meetings, written submissions to the docket, and operational data for ORD, on March 18, 2026, the FAA published a Notice announcing a second round of scheduling reduction meetings that would begin on March 19, 2026.¹⁶ In that Notice, FAA published a daily cap target of 2,608 operations, equivalent to the peak operations of Summer 2025. The Notice also stated that, “[c]onsistent with IATA Level 2 guidance that prioritizes services operated in the previous equivalent season, the Department and FAA will use the final Summer 2025 schedules as the baseline for determining the appropriate reductions to be borne by each party for the Summer 2026 season.”¹⁷ This is the same baseline FAA had previously notified carriers in October 2025 would be used to determine scheduling priorities for Summer 2026.¹⁸

On March 19, 2026, FAA initiated the second round of scheduling reduction meetings focused on achieving a lower reduction rate. Participants at the second session included several U.S. domestic air carriers and the CDA.

¹⁶ 91 FR 13098, 13099 (March 18, 2026)

¹⁷ *Id.*

¹⁸ Notice of Submission Deadline for Schedule Information for Chicago O'Hare International Airport, John F. Kennedy International Airport, Los Angeles International Airport, Newark Liberty International Airport, and San Francisco International Airport for the Summer 2026 Scheduling Season. October 3, 2025. <https://www.faa.gov/media/106116>.

FAA solicited comments from the public until March 26, 2026. FAA concluded the scheduling reduction process on April 16, 2026.

III. Comments Regarding Competition, Reduction Allocations, and Operational Cap at ORD

FAA received seven comments in total on both notices. Commenters include CDA, Airports Council International (ACI-NA), Spirit Airlines (Spirit), United Airlines (United), Mr. Steven Endres, and two anonymous commenters.

CDA stated that the airfield is continuously improving and that the impact of construction will be “markedly lessened in quantity, duration, and complexity” in Summer 2026 compared to Summer 2025. CDA provided detailed status updates on taxiway projects that significantly impacted operations last summer and ORDNext. ORDNext will expand the airport’s linear frontage leading to an increase of 28 new narrowbody-equivalent gates and create three new concourse structures increasing the number of gates by the mid 2030’s. CDA also objected to FAA lowering runway capacity below demonstrated manageable capacity. Further, CDA advocated for these operating limitations to be temporary and only last for the Summer 2026 scheduling season, if not sooner. CDA suggested that the operating limitations should sunset on September 1, 2026, aligned with the opening of the third taxilane into the Southport. Next, CDA stated that it supports the development of a working group between FAA, CDA, and other stakeholders to discuss traffic management solutions and address problems as they arise. Lastly, CDA recommended that FAA more efficiently manage ORD’s runways and increase staffing and technology resources at ORD. CDA urged FAA to consider an optimization of Land and Hold Short Operations (LAHSO). ORD’s runway configuration was designed with the intent of using LAHSO as a primary operating procedure on Runways 27C, 27L, 28C, and 28R in west flow operations and Runways 9C, 9R, 10C for east flow operations. CDA stated that it is ready to entertain revisions to the current LAHSO system such as moving markings and revising signage.

FAA commends the CDA for planning and executing a number of improvement projects at ORD over the years, preserving ORD's status as one of the most significant airfields in the United States. ORD's location and facilities mean that its stability and efficiency underpin the success of the entire NAS. FAA shares the CDA's priority of ensuring ORD is a safe and efficient airport. FAA finds that the limits implemented under this Order reflect a level that maintains safety and improves the on-time performance of the airport, while recognizing CDA's perspective that construction impacts for Summer 2026 will be temporary and limited. The benefits of increased on-time performance at ORD will ripple throughout the NAS and improve the overall performance of the system. FAA shares ORD's goal of limiting the duration of this Order and the operating limitations within. DOT and FAA both share the vision that this is a temporary measure needed to decongest the airport and aim to have these limitations in place for the Summer 2026 scheduling season. FAA is willing to partner with CDA and air carriers that operate at ORD to solve ongoing issues. FAA agrees with CDA that creating a working group or committee, specifically related to surface movement, to study the current airport design would be beneficial. This group could propose improvements that would not only enhance operational efficiency but could also prevent the need for reduction efforts like this in the future. With respect to optimizing LAHSO, moving markings, and revising signage, FAA is interested in collaborating with CDA to explore how best to optimize LAHSO and make adjustments to markings and signage to improve flow. FAA finds that each of these initiatives may improve efficiency at the airport to such a degree that it could provide relief from these reductions and permit more operations at ORD, so long as such an increase preserves safety and promotes efficiency. Lastly, FAA is committed to improving staffing at ORD and throughout the NAS through the implementation of the Brand New Air Traffic Control System. Further, for the first time in more than six years, FAA has more than 11,000 certified professional controllers on staff, with more than 4,000 trainees in the pipeline. This comprehensive update is already underway and will provide much needed technological assistance to air traffic controllers and operators.

However, unlike most other airports in the NAS, FAA's ATC resource investment and upgrades must be applied to ORD's three air traffic control towers ("ATCT"). This adds significant complications to both staffing efficiency and deploying FAA's new automation tools as such tools are traditionally designed for a single ATCT configuration.

ACI-NA stated that it is proud to work alongside DOT and FAA to ensure the safe, secure, and efficient movement of goods and passengers through the U.S. and the world. ACI-NA supports the direct engagement between FAA, DOT, and CDA to discuss the operating limitations at issue. ACI-NA also asks that FAA and other federal partners continue to staff airport facilities to match the investment the airport operators have put into optimizing ORD. Further, ACI-NA asks FAA to provide data to support this scheduling reduction effort similar to the runway capacity analysis reports discussed in the WASG. FAA currently provides capacity and delay analyses through the deputy director of systems operations ("DDSO") offices and that information is shared with the operations community via the National Customer Forum ("NCF") and joint DDSO and airport authority meetings.

As discussed above, FAA is continuing to improve the air traffic controller training program throughout the NAS and has streamlined components of the onboarding process to increase the availability of air traffic controllers.

Spirit stated that reductions should be directed towards the two dominant carriers at ORD. Spirit also suggested that FAA consider that it has already reduced its operations at ORD by approximately 50% relative to its Summer 2024 peak. Lastly, Spirit requests that FAA approach these reductions with carrier-specific targets like the Newark Liberty International Airport (EWR) delay reduction process.

FAA appreciates Spirit's comment, including proposed methods of addressing this issue, and acknowledges that Spirit reduced its operations at ORD. FAA and DOT agree that consumers should have low-cost options available. The allocation method is outlined in Section IV. To that end, any impact on Spirit's operations at ORD will be communicated directly with

the carrier. However, by using Summer 2025 as the baseline, this order is intended to largely preserve the status quo with regard to the competitive environment at ORD.

In its comments, United expressed serious concerns with the FAA's proposed cap and its apportionment of reductions at ORD for the Summer 2026 season. United's comments focus on what it perceives as significant developments that should limit the FAA's authority to address safety and efficiency of operations at ORD and the broader national airspace. United expanded discussions that took place during the scheduling reduction meetings concerning gate allocation. United also believes that FAA arbitrarily and capriciously established the operating limitations and that the use of the final Summer 2025 schedules is an inappropriate baseline. United marked significant portions of its comment as confidential due to the inclusion of proprietary or trade secret information. FAA has placed United's comments in the docket with appropriate redactions.

Foremost, United raised concerns that FAA's decision to select the final Summer 2025 scheduling season as the "baseline" does not factor in the recent results of the gate redetermination process completed in October 2025. FAA understands that the underlying issue stems from a process included in a contract between CDA and the various air carriers, the 2018 Airline Use and Lease Agreement ("AULA"). FAA's role in these proceedings is to address the overscheduling of ORD's Summer 2026 capacity and develop a solution that will decongest ORD and improve efficiency, not determine or alter gate use. Contrary to United's contention, DOT did not threaten, in passing or otherwise, to prohibit redeterminations by CDA. As United asserts, FAA and DOT do not have the statutory authority to unilaterally nullify an element of the AULA; FAA and DOT are not seeking to do so. Should the parties to the AULA believe that FAA operating limitations will hinder, restrict, or otherwise impact its ability to perform elements of the contract, that would be a matter to be resolved between the individual parties to the lease agreement. Likewise, the statutory authorities being exercised here by FAA to manage the safe and efficient use of the airspace under 49 U.S.C. §§ 40103 and 41722 cannot be

hindered or restricted by a contract to which FAA is not party to or terms that the Department has not agreed to.

United also mentions in its comment that FAA did not include the word “gate” in the meeting notices. That is intentional. United stated in its own comment that FAA does not allocate gates. United and FAA are in alignment that FAA does not manage gate allocation or facilitation. As stated in the October 2025 schedule submission notice, “In the United States, the FAA is responsible for facilitation and coordination of runway access for takeoffs and landings at Level 2 and Level 3 airports; however, the airport authority or its designee is responsible for facilitation and coordination of terminal/gate/airport facility access. The process with the individual airports for terminal access and other airport services is separate from, and in addition to, the FAA schedule review based on runway capacity.”¹⁹

Additionally, United disagrees with FAA’s selection of the Summer 2025 final schedule as the “baseline” for allocation of the reduction targets and proposed several alternatives. As evidenced by United’s suggestions, there are several possible ways to set a baseline. FAA finds that the approach it has selected is the most reasonable path forward given the situation driving the need for FAA’s intervention at ORD—unreasonable schedule submissions from carriers for the Summer 2026 scheduling season submitted after the standard Level 2 seasonal facilitation process. Level 2 facilitation is grounded on using the previous corresponding season’s operations as the operational baseline for the next corresponding season. Using prospective Summer 2026 as the baseline also risks incentivizing the inefficient scheduling practices that FAA seeks to avoid. If carriers know FAA is likely to use the current season schedule alone as the baseline for scheduling reduction proceedings, and not account for actual operations, carriers may be motivated to submit unrealistic schedules at Level 2 airports to improve their negotiating posture.

¹⁹ Notice of Submission Deadline for Schedule Information for Chicago O’Hare International Airport, John F. Kennedy International Airport, Los Angeles International Airport, Newark Liberty International Airport, and San Francisco International Airport for the Summer 2026 Scheduling Season. October 3, 2025. <https://www.faa.gov/media/106116>.

This practice would undoubtedly trigger the need for FAA to call a scheduling reduction meeting in the future to reduce schedules to a practical level. Therefore, it is appropriate for FAA to use the Summer 2025 baseline to ground these proceedings.

United also proposed that FAA could use the Summer 2025 schedule but adjust each air carrier's proportional share of the scheduling reductions to account for the gate allocation changes. How gates are allocated at ORD is a contractual matter between air carriers and CDA and is not relevant to the actions FAA is taking in this proceeding under its statutory authorities to manage airspace and ground congestion and the seasonal scheduling notice published in this matter.

United's final proposal was for FAA to use the approved Summer 2026 SAL²⁰ to determine the relative proportion of reductions by air carrier. In November 2025, FAA acknowledged and approved initial submissions from air carriers as part of the normal Level 2 schedule facilitation process for Summer 2026. However, that does not mean that FAA has not continued to evaluate the impact of those schedules after the allocation date in light of current operating conditions, or that the Administrator's ability to implement operating limitations is diminished once a schedule has been acknowledged or approved. The Summer 2026 SAL was provided based on runway capacity as the limiting coordination parameter. FAA has since determined that, owing to airfield construction and other factors, surface constraints at ORD are the limiting factor and represent a lower total airport capacity than the runway system, alone. In addition, carriers, particularly United, have continued to add additional flights close to the beginning of the Summer 2026 season.

As United knows, air carriers may continue to submit requests for new operations beyond the SAL deadline. It is typical for FAA to acknowledge receipt, but it did not express approval, of submissions received after the SAL deadline in normal circumstances. Here, FAA continued to assess the impact of additional submissions received in addition to the already increased

²⁰ *I.e.*, schedules approved by FAA as of November 6, 2026.

schedules submitted for Summer 2026. As a result, FAA and DOT determined a scheduling reduction was necessary to halt Summer 2026 overscheduling.

DOT explained in the scheduling reduction sessions that the decision to move to the final Summer 2025 schedules also returns to a time when the schedules were not heavily influenced by air carrier attempts to increase market share.²¹ American and United have each announced expansion plans at ORD that potentially could lead to significant Summer 2026 delays due to ongoing construction limiting the airfield's ability to handle the expected amount of traffic. United Airlines has proposed and published the most significant, increase to its schedule year over year, accompanied by a campaign of public statements expressing a desire to grow and avoid a scenario in which American Airlines would grow at the “expense” of United.²²

United references the 2004 ORD and 2025 EWR scheduling reduction meetings as examples of when the FAA elected to use the planned season as the baseline for the reductions. Both of these instances are distinguishable from the present situation at ORD, as discussed below.

2004 ORD Operating Limitations Order

In 2003, Congress provided FAA with the authority to call scheduling reduction meetings through the 2003 reauthorization law, Vision 100. At the time ORD was also part of a broader Congressional initiative to phase out the high-density traffic airport rules at certain airports.²³ This meant that the limitations once in place at ORD were lifted and air carriers added a significant number of flights and schedule changes such that the peak hours of the day became congested. During the initial years of ORD’s deregulation, the delays steadily increased until

²¹ “We’re going to add as many flights as are required to keep our gate count the same in Chicago.” – Scott Kirby, Chairman and CEO, United Airlines. Rajesh Kumar Singh, *United Draws ‘Line in the Sand’ in Escalating Chicago O’Hare Fight with American Airlines*, Reuters (Jan. 21, 2026), <https://www.reuters.com/business/united-draws-line-sand-escalating-chicago-ohare-fight-with-american-airlines-2026-01-21/>.

²² See <https://skift.com/2017/02/15/chicago-is-becoming-the-center-of-the-growing-conflict-between-united-and-american/>; <https://viewfromthewing.com/united-ceo-scott-kirby-says-american-airlines-may-be-forced-out-of-chicago-ohare-hub-as-his-schedule-surges-to-600-flights-a-day/>; <https://onemileatatime.com/news/united-airlines-chicago-smack-talk/>

²³ Order Limiting Scheduled Operations at O’Hare International Airport, Order 18-8-04, p.8, (August 19, 2004).

FAA was provided a tool by Congress to address the overscheduling, the scheduling reduction meeting.

In early 2004, American and United jointly agreed to a 5% voluntary reduction between limited hours in lieu of a scheduling reduction meeting. FAA retained the right to call a meeting at a later date if this did not alleviate congestion but issued an order consistent with agreement made by the two carriers.²⁴ This agreement did not resolve the problem and eventually FAA called a meeting later in the Summer which resulted in the Order implementing an additional 2.5% reduction to impacted carriers.²⁵ This is distinguishable from the matter at hand because this was one of the first instances of the scheduling reduction tool and the eventual meeting took place far later in the summer when it would not have been practicable to use another time period as a baseline. The meeting was initiated to address real-time performance issues.

2025 EWR Operating Limitations Order

Like the 2004 ORD scheduling reduction meeting, the 2025 EWR scheduling reduction meeting was called to address significant ATC staffing issues compounded by substantial construction projects and telecommunication system outages. The 2025 EWR meeting also was called later in the season than the matter at hand and was meant to address issues impacting the scheduled operations in-progress necessitating the reduction, rather than prospective schedules.

FAA is trying to prevent extensive operational delays and cancellations similar to those experienced at EWR last summer and measurably improve performance at ORD compared to last year. FAA believes that implementing these operational limitations will improve ORD's efficiency, leading to a better experience for the traveling public.

FAA has determined that ORD could handle the level of operations specified in the operating limitations issued to carriers by evaluating past performance data and in response to

²⁴ *Id.*

²⁵ *Id.*

information received by CDA. Additionally, scheduling limits set peaks and valleys of demand throughout the day that would support operational recovery between the peaks.

Using the WASG as a guidepost, but not a requirement, FAA agrees that Level 2 airports do not receive historic precedence and series of slots do not apply at Level 2 airports, but the WASG does recommend that the facilitator give priority to approved services that plan to operate unchanged from the previous equivalent season. That is what FAA seeks to do here.

United debates the relevancy of the factoring in the schedule submission notice at all, despite contending that FAA deviates or does not adhere to the WASG at times.²⁶ FAA agrees with United that they are guidelines. However, FAA aligns with them in the spirit of international comity and because of the practicality of having a shared set of general guidelines for air carriers and facilitators to use system-wide. FAA follows the WASG, and earlier versions, to the extent that they do not conflict with domestic law. FAA notes there is not a specific requirement in 49 U.S.C. § 41722, or the WASG, to use a particular baseline for scheduling reduction meetings.

United also argues that FAA vaguely referenced competition in correspondence and the meeting notice to carriers and that the manner in which competition was referenced is insufficient to support the decision. FAA simply intended to convey to air carriers that the cuts necessary would reflect the competitive allocation of runway operations as of Summer 2025, the baseline. FAA is considering competition in the same manner that it has done in previous scheduling reduction meetings, including EWR, in that it made reductions that were proportional to the number of operations the air carrier held in the baseline. FAA did not arbitrarily cut from one carrier or another without considering their competitive position at ORD *vis-à-vis* each other. The final operational cap and the baseline used to allocate operations to carriers do not reflect a decision by FAA to “affirmatively interfere with the competitive balance at ORD” nor is this claim borne out in the reductions themselves.

²⁶ Comments of United Airlines, Inc., page 20 (March 26, 2026).

Lastly, United questions the FAA's rationale for the caps including in both meeting notices and raised in the discussions with air carriers. See Section IV for FAA's rationale for the final reductions.

Mr. Steven P. Endres submitted a comment stating that he believes the FAA's schedule facilitation infringes on his ability to pursue business opportunities to airspace reservations. As stated previously, the U.S. Government has exclusive sovereignty of the airspace of the United States and FAA is the schedule coordinator of record for the United States.

Two anonymous commenters provided feedback on the notice. One commenter asked if this will raise ticket prices, reduce options, and cause air carriers to use larger jets potentially resulting in more noise or pollution. The second commenter advocated for more common use gates at ORD to prevent "gate squatting" between the dominant airlines.

FAA appreciates these comments from members of the public. FAA and DOT share the goal of promoting consumer options and accessible fares for passengers. This order is intended to be a temporary measure to prevent significant levels of operational disruption that would negatively impact the customer experience in their travel journey. Additionally, FAA has conducted an environmental evaluation on the proposed action. The results of this evaluation can be found in Section VIII.

In response to the second anonymous commenter, as stated above, FAA does not determine gate usage or leasing arrangements. This is an issue for the local airport authority to address. Overall, FAA understands that imposing operating limitations on carriers at this point in the scheduling season will result in cancellations and restrict operations at the airport for air carriers, however, this is a consequence of the airport being oversubscribed to such an extent it necessitated the scheduling reduction meetings.

IV. Scheduling Limitations

To ensure safety and efficiency, the FAA has proposed a daily operational cap for Summer 2026 at O'Hare of 2,708 operations, with operations allocated among carriers based on

Summer 2025 approved schedules, to mitigate chronic congestion and achieve delays no worse than what occurred last summer. FAA expects that air carriers will work cooperatively with the Slot Administration Office to implement the cap and allocations in a manner that is operationally feasible and achieves the stated goals of safety and efficiency.

Air carriers asked to reduce operations will find that this limit is slightly increased from that proposed in the March 18, 2026, Notice. FAA found some of the discussion points raised throughout the meetings, particularly CDA's arguments that construction at ORD will be less impactful than last summer, as a reason to modestly increase the operational cap. CDA assuaged some of FAA's concerns regarding construction-related delays by providing detailed expectations on several construction projects. Specifically, CDA informed FAA that the Taxiway Alpha/Bravo rehabilitation project is mostly complete and will not impact Summer 2026 operations. Next, the Taxiway LL project shifted into a new phase that is not projected to negatively impact Summer 2026 operations. Lastly, CDA projects that the Taxiway T/R Grade Separated Roadway and advanced RTR-U utilities work also have significantly less impact on Summer 2026 operations compared to Summer 2025. CDA anticipates that this will provide operational relief. This information gives FAA confidence that the limitations could be raised from proposals discussed in the second round of scheduling reduction meetings slightly, although the need for reductions remains. The planned operations for 2026 were beyond what the airport can handle, but FAA understands the importance of enabling growth to the extent practicable at the airport over last year given the infrastructure improvements year over year.

From May 17, 2026, through October 24, 2026, between 06:00 a.m. and 23:59 p.m., operations will be limited at ORD to 2,708 operations per day. Operations will be allocated to air carriers in proportion based on their share of operations in approved Summer 2025 schedules. ATC staffing requirements and runway configuration changes require that there be certain "valleys" for a minimum period to safely transition throughout the day. FAA will issue the limitations to air carriers by half-hour. These half-hour limitations will range from 30 operations

per half-hour during low demand periods, to 84 operations per half-hour at peak. FAA expects that air carriers will work cooperatively with the Slot Administration Office to ensure their allocated operations fit within these operational requirements.

FAA and DOT mean for this exercise to result in ORD performing more efficiently than last summer. These limitations are intended to be temporary and applicable for this season only. However, FAA retains the ability to review and assess schedules submitted for winter 2026/2027 and beyond to ensure that the communicated schedules align with the airport's demonstrated capacity.

Alternative options that FAA considered included delaying the start of the scheduling reduction meeting until the overscheduling negatively impacts operations or using one of the alternative limits FAA discussed throughout these proceedings. Another option included utilizing routine air traffic control management tools to facilitate overscheduling on a daily basis. This approach is unsustainable over the course of the summer season, would ignore any competitive considerations if ATC had to reactively reduce or delay operations daily, and diminish the sense of stability and certainty for passengers with travel plans through ORD this summer.

V. Foreign Air Carriers

Foreign air carriers were not asked to reduce operations as part of this scheduling reduction process as 49 U.S.C. § 41722 applies to domestic air carriers.²⁷ Should a foreign carrier assess their operations at ORD and propose any voluntary schedule reductions or modifications that may alleviate congestion at ORD, FAA will work with foreign carriers to maintain historic prioritization for any previously approved timings for the purposes of establishing an operational baseline for the next corresponding season.

VI. Unscheduled Operations

²⁷ Air carriers subject to 49 U.S.C. § 41722 scheduling reduction proceedings are those defined under 49 U.S.C. 40102(a)(2). "Air carrier" is defined in under 49 U.S.C. 40102(a)(2) as a citizen of the United States undertaking by any means, directly or indirectly, to provide air transportation.

FAA will continue to accommodate other unscheduled operations, such as cargo, charter, or nonscheduled foreign carrier operations, on a “first come, first serve” basis to the extent such operators can be accommodated at ORD. All requests must be submitted to and approved by the FAA Slot Administration at 7-awa-slotadmin@faa.gov. In addition, these operations must also obtain approval from the ORD terminal to operate.

VII. Operational Flexibility

Based on FAA’s experience with capacity-constrained airports, FAA anticipates that carriers may occasionally need to modify their schedules for operational or other reasons while this Order is in effect. Accordingly, this Order provides a mechanism through which such carriers can modify their schedules.

Carriers operating at ORD must obtain written approval from the FAA Slot Administration Office before making a schedule change to outside the half-hourly arrival and departure windows associated with an authorized timing.

FAA recognizes that there may be unexpected disruptions due to operational issues, weather, or other circumstances beyond the carrier’s control. Since ORD is a Level 2 airport, FAA will work with the carrier on any additional relief needed to prioritize impacted operations for the purposes of establishing operational baselines for the next corresponding season.

VIII. National Environmental Policy Act

The FAA has determined that this action qualifies for categorical exclusion (CATEX) under the National Environmental Policy Act (42 U.S.C. §§ 4321, *et seq.*) in accordance with FAA Order 1050.1G, “Environmental Impacts: Policies and Procedures,” paragraphs B-2.5.j, B-2.6.d, and B-2.6.f. The CATEX listed in FAA Order 1050.1G, paragraph B-2.5.j, applies to the following category of actions: “Implementation of procedures to respond to emergency air or ground safety needs, accidents, or natural events with no reasonably foreseeable long-term adverse impacts.” FAA has determined that overscheduling requires FAA to reduce operations through this order in the interest of air and ground safety. Moreover, there are no reasonably

foreseeable long-term adverse impacts given that the Order is of limited duration and involves only reduced, as opposed to increased, operations.

The CATEX listed in FAA Order 1050.1G, paragraph B-2.6.d applies to: “Issuance of regulatory documents (e.g., Notices of Proposed Rulemaking and issuance of Final Rules) covering administrative or procedural requirements.” The CATEX in paragraph B-2.6.f applies to: “Regulations, standards, and exemptions (excluding those that if implemented may cause a significant impact on the human environment).” The FAA has determined that these CATEX categories are applicable as well.

This action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that would preclude the use of this CATEX and require a higher level of NEPA review.

IX. Order

Accordingly, with respect to flight operations at ORD, under the authority provided to the Secretary of Transportation and the FAA Administrator by 49 U.S.C. §§ 40101, 40103, 40113, and 41722, it is hereby ordered that:

1. This Order establishes a daily scheduling limit for arrivals and departures at ORD of 2,708 operations from 6:00 a.m. through 23:59 p.m., Central Time, until October 24, 2026.
2. This Order allocates those 2,708 operations at ORD during the affected hours as reflected by authorized scheduled timings for the IATA Northern Summer 2025 scheduling season. The limits range from 30 to 84 operations per half hour.
3. FAA will not accommodate authorized scheduled timings under this Order for any person or entity other than a certificated U.S. air carrier with appropriate economic authority and FAA operating authority under 14 CFR part 121, 129, or 135. This Order further affirms that FAA will not accommodate new requests or re-timings into schedule-facilitated hours if such a request will result in exceeding the operational limit. Finally, FAA will

accommodate unscheduled operations in certain hours throughout the schedule-facilitated day, on a “first come, first serve” basis. All requests must be submitted to and approved by the FAA Slot Administration at 7-awa-slotadmin@faa.gov. The FAA Vice President, System Operations Services, is the final decision-maker for determinations under this paragraph. The provisions in paragraphs 2 through 11 below apply to the following:

- a. All U.S. air carriers conducting scheduled operations at ORD as of the date of this Order, any U.S. air carrier that operates under the same designator code as such carrier, and any air carrier that has or enters into a codeshare agreement with such carrier.
 - b. All U.S. air carriers operating scheduled or regularly conducted commercial service to ORD while this Order is in effect.
4. This Order takes effect on May 17, 2026, and expires on October 24, 2026.
5. The Administrator may change the targeted limit if he determines that capacity exists to accommodate additional operations without a significant increase in delays.
6. Carriers will retain historic priority for the next corresponding season for authorized scheduled timings reduced or re-timed under the scheduling reduction proceedings.
7. A carrier operating an authorized scheduled timing may request the Administrator’s approval to move any arrival or departure scheduled from 6:00 a.m. through 23:59 p.m. to another half hour so long as this request would not exceed the limit designated for that half hour. Except as provided in paragraph seven, the carrier must receive the written approval of the Administrator, or his delegate, prior to conducting any scheduled arrival or departure. All requests to move an authorized scheduled timing must be submitted to the FAA Slot Administration Office at 7-AWA-Slotadmin@faa.gov, and must come from a designated representative of the carrier.
8. Notice of a swap must be submitted in writing to the FAA Slot Administration Office at 7-AWA-Slotadmin@faa.gov and must come from a designated representative of each

carrier. FAA must confirm and approve these exchanges in writing prior to the effective date of the exchange.

9. Any authorized scheduled timing not used during the remainder of the Summer 2026 scheduling season will not be prioritized for the purposes of establishing an operational baseline for the next corresponding season unless the carrier notifies FAA of a request for prioritization. FAA and DOT will review these requests. FAA will respond to the carrier with an acknowledgement of the request and a determination.
10. If FAA determines that a further reduction in targeted scheduled operations is needed, FAA may call an additional scheduling reduction meeting pursuant to 49 U.S.C. § 41722.
11. FAA may enforce this Order through an enforcement action seeking a civil penalty under 49 U.S.C. § 46301(a). A carrier that is not a small business as defined in the Small Business Act, 15 U.S.C. § 632, will be liable for a civil penalty of up to \$75,000 for every flight it operates above the limits set forth in this Order. A carrier that is a small business as defined in the Small Business Act will be liable for a civil penalty of up to \$16,630 for every flight it operates above the limits set forth in this Order. FAA also could file a civil action in U.S. District Court, under 49 U.S.C. §§ 46106, 46107, seeking to enjoin any air carrier from violating the terms of this Order.
12. FAA may modify or withdraw any provision in this Order on its own or on application by any carrier for good cause shown.

Issued in Washington, DC, on April 16, 2026.

Bryan Bedford,

Administrator, Federal Aviation Administration.