

United States Senate

October 28, 2025

The Honorable Sean Duffy
Secretary of Transportation
U.S. Department of Transportation
1200 New Jersey Ave., S.W.
Washington, DC 20003

Dear Secretary Duffy,

We strongly oppose the Department of Transportation's (DOT) recent decision to roll back and weaken consumer protection regulations that would protect airline passengers and make flying more affordable for American families. The regulations targeted by the Department would have required airlines to compensate passengers for significant flight disruptions within an airline's control and be transparent about fees — such as baggage fees or change fees — that they charge consumers. The bipartisan FAA Reauthorization Act of 2024 took firm action to protect flying families from hassles and high costs associated with flight disruptions and additional fees. By rolling back these rules, DOT appears to be defying the consumer protection and affordability goals of this bipartisan legislation.¹ At a time when air travel is stressful and expensive for many families, these actions will drive travel costs even higher. We urge DOT to reconsider its recent actions that are both out of step with congressional intent and compromise cost-savings for the flying public.

Last year, Congress acted to protect the flying public from airline-caused disruptions and surprise costs. The law guaranteed the right to a hassle-free refund for passengers when flights are cancelled or significantly delayed regardless of cause. The law also required airlines to have policies in place to compensate passengers for significant flight disruptions within an airline's control, and be transparent about fees — such as baggage fees or change fees — that they charge consumers. The regulations recently targeted by the Department build upon the consumer protection framework established under the law.

Last year, the Biden Administration advanced two rulemakings to help protect passengers from hidden fees and provide common-sense compensation in the event of significant travel disruptions. First, DOT proposed a rule that would require airlines to compensate passengers for flight delays or cancellations that are the airline's fault. This rulemaking — although in its early stages — would have required airlines to compensate passengers between \$200 to \$300 for domestic delays of at least three hours and up to \$775 for longer delays.² This compensation is critical. Even when an airline rebooks or refunds a passenger, significant flight delays or

¹ See “Title V – Passenger Experience Improvements” of the FAA Reauthorization Act of 2024 (P.L. 118-63).

² United States Department of Transportation, *DOT Launches Rulemaking to Protect Passengers Stranded by Airline Disruptions* (Dec. 5, 2024), <https://www.transportation.gov/briefing-room/dot-launches-rulemaking-protect-passengers-stranded-airline-disruptions>.

disruptions may impose unnecessary additional costs on passengers, such as lost income from a missed work shift or expenses associated with disrupted travel for important life events such as weddings, team competitions, visiting sick family members, or family vacations. Notably, this rule would only have applied to flight disruptions within the airline's control, not disruptions resulting from weather or other unpredictable events.

This is a common-sense proposal: when an airline's mistake imposes unanticipated costs on families, the airline should try to remedy the situation by providing accommodations to consumers and helping cover their costs. By cancelling this rulemaking, the Department is actively foregoing an easy solution to foster consumer confidence and address the problem of unaffordable travel for many families.

The Biden Administration moved to require airlines to disclose ancillary fees upfront to give consumers more transparency about the actual cost of flights.³ This protection is crucial considering these fees often hit traveling families the hardest, particularly large families that fly with more checked baggage, have more difficulty changing flight reservations, or need other accommodations. The rulemaking would not have imposed any limitations on the size of fees but simply prevented airlines from burying fees in the fine print or at the end of the purchase process. The right for consumers to know the price of a ticket before they fly is protected in law⁴ – making sure transparent pricing regulations also reflect extra fees like baggage and change fees just makes sense.

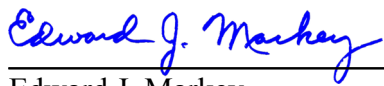
We urge DOT to reconsider its decision to roll back these important cost-saving protections for the flying public and to implement the bipartisan FAA law requirements as Congress intended. American families deserve transparency in airline pricing and fair compensation for travel disruptions. These cost-saving consumer protections should be strengthened, not weakened.

Thank you for your full consideration of this important issue. We look forward to working with the Department on behalf of airline passengers across the country.

Sincerely,

³ United States Department of Transportation, *Biden-Harris Administration Announce Final Rule to Protect Consumers from Surprise Airline Junk Fees* (Apr. 24, 2024), <https://www.transportation.gov/briefing-room/biden-harris-administration-announces-final-rule-protect-consumers-surprise-airline>.

⁴ See 14 C.F.R. 399.84 – Price advertising and opt-out provisions.



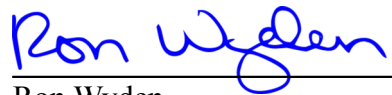
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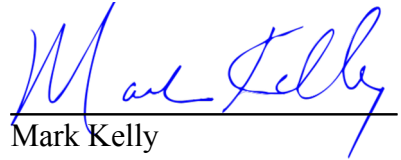
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