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Airlines that Received \$40 Billion in COVID-19

Aid Spent \$26 Million Lobbying to Protect

Exploitative Junk Fees While Suing to Block

Consumer Protection Rules

SUMMARY

On April 24, 2024, the Department of Transportation (DOT) [announced](#) new rulemaking requiring airlines to automatically issue cash refunds to passengers for delayed flights while "better disclos[ing] fees for baggage or canceling a reservation." The first rule specifically requires automatic refunds for checked-bag fees if not returned to the customer within 12 hours for domestic and 15 to 30 hours for international flights. DOT issued a separate rule that also [requires](#) airlines to be upfront about the fees they charge and must show the price on its website "the first time customers see a price and schedule."

The rulemaking followed an April 16, 2024, [announcement](#) the agency would partner with state attorneys general to investigate unfair or deceptive practices by the airline industry, giving state attorneys general a formal mechanism to report airlines to DOT that do not comply with state investigations into potential consumer protection law violations.

Not surprisingly, in the latest instance of [corporate judge shopping](#), Airlines for America—a [trade group](#) representing major airline companies— and six of its members [filed a lawsuit](#) in the Fifth Circuit Court of Appeals in an effort to block the rule requiring airlines to be upfront about pricing. Airlines for America claimed the rule would "[greatly confuse customers](#)" and that airlines already disclose these fees to consumers. This comes as the airline industry's own consultants [boasted](#) that ancillary fees, including baggage and seating fees, would **reach a global record of \$117.9 billion** in 2023, far past the previous record of **\$109.5 billion** in 2019.

The day after the airline industry filed its lawsuit, Congress [passed](#) a Federal Aviation Administration reauthorization bill that included a requirement for "airlines to automatically pay refunds to travelers whose flights are canceled or significantly delayed," with President Biden praising the reauthorization as "[affirming the Department of Transportation's rule that mandated automatic refunds when flights are canceled or significantly delayed.](#)"



An Accountable.US review of lobbying data from Airlines for America and the companies who joined its lawsuit and had taken over \$40 billion in federal pandemic aid found these entities spent over \$26 million while lobbying against efforts to rein in junk fees charged by airlines:

- **Airlines for America** has received nearly \$11 million in membership dues from the six airlines that joined its suit against the Department of Transportation, according to airlines' most recent political engagement reports. Meanwhile, it has [spent \\$10.3 million since Q1 2023 while lobbying](#) on numerous pieces of legislation aimed at reining in junk fees, including [S. 209](#) and [H.R. 659](#), the "FAIR Fees Act of 2023" and [S. 916](#) and [H.R. 2463](#), the "Junk Fee Prevention Act."
- **Alaska Airlines**, which [joined](#) Airlines for America in its lawsuit against DOT, [paid \\$426,600 in membership dues](#) to Airlines for America in 2023. During the COVID-19 pandemic, Alaska Airlines [took over \\$2.2 billion](#) in aid from the federal government to pay its workers' wages, salaries and benefits.
- **American Airlines**, which [joined](#) Airlines for America in its lawsuit against DOT, [has spent \\$6.9 million since Q1 2023](#) while lobbying against both iterations of the FAIR Fees Act and [paid over \\$5.5 million in membership dues](#) to Airlines for America in 2022. American ended up taking [over \\$12.8 billion in aid](#) from the federal government during the COVID-19 pandemic.
- **Delta Air Lines** [has spent \\$ 8 million since Q1 2023](#) while lobbying against the Department of Transportation's delayed baggage and ancillary fees rule and its ticket refund rule. Meanwhile, Delta [paid](#) over \$1 million in Airlines for America membership dues in 2023. Delta [ultimately received \\$11.9 billion](#) in aid during the COVID-19 pandemic.
- **Hawaiian Airlines** [has spent \\$970,000 since Q1 2023](#) while lobbying against legislation aimed at lowering junk fees and DOT's ancillary service fees rule. Meanwhile, Hawaiian [paid \\$254,400 in membership dues in 2023](#) to Airlines for America and [received over \\$673.2 million](#) in COVID aid from the federal government.



- **JetBlue Airways**, which [joined](#) Airlines for America in its lawsuit against DOT, [paid](#) over \$2.1 million in membership dues in 2022 and [received](#) over \$2 billion in aid during the pandemic.
- Finally, **United Airlines**, which [joined](#) Airlines for America's lawsuit, [received](#) \$10.9 billion in aid from the federal government and [paid](#) over \$1 million in membership dues to Airlines for America in 2023.