

November 14, 2025

The Honorable Sean P. Duffy  
Secretary of Transportation  
U.S. Department of Transportation  
1200 New Jersey Ave, SE  
District of Columbia, 20590

Dear Secretary Duffy,

The undersigned passenger rights advocacy organizations are deeply disappointed with DOT's decision<sup>1</sup> to withdraw the Airline Passenger Rights Advanced Notice of Proposed Rulemaking (ANPRM).<sup>2</sup> The long overdue ANPRM was intended to bring the U.S. air travel sector in line with basic consumer protections found in other jurisdictions which already protect billions of international travelers.

The proposed passenger rights are simple policies designed to keep the American travel sector competitive with others around the globe. The ANPRM also fits squarely within your stated priorities of tailoring transportation policy to protecting American families. Controllable flight disruptions can cost traveling families thousands of dollars, with just one mother losing \$7,500 during last year's Crowdstrike outage.<sup>3</sup>

The hasty withdrawal of the ANPRM is a reversal of common-sense America First policies and a betrayal of traveling families. The withdrawal also signals that the Department appears to be less interested in curtailing significant flight disruptions, which have increased 4x in the past 30 years.<sup>4</sup> Not insignificantly, the withdrawal may contravene federal law that explicitly directs the Department to protect the public interest, prohibit unfair and deceptive practices, and require airlines to establish consumer protections for controllable flight disruptions.<sup>5</sup>

---

<sup>1</sup> U.S. Department of Transportation, Office of the Secretary. *Airline Passenger Rights; Withdrawal* (Docket No. DOT-OST-2024-0062; RIN 2105-AF20). 17 Nov. 2025. <https://public-inspection.federalregister.gov/2025-20042.pdf>

<sup>2</sup> U.S. Department of Transportation, Office of the Secretary. *Advance Notice of Proposed Rulemaking: Airline Passenger Rights* (Docket No. DOT-OST-2024-0062; RIN 2105-AF20). 3 Dec. 2024. <https://www.transportation.gov/sites/dot.gov/files/2024-12/ANPRM%20Airline%20Passenger%20Rights%20%282105-AF20%29.pdf>

<sup>3</sup> Tran, Louie. "Seattle family stranded for multiple days after Delta cancels flights amid CrowdStrike outage." *KIRO 7*, 23 Jul. 2024. <https://www.kiro7.com/news/local/seattle-family-stranded-multiple-days-after-delta-cancels-flights-amid-crowdstrike-outage/CFNOKCMRGRB5FNL2ZIUVW5ZW5A/>

<sup>4</sup> While advocates disagree with some of Tabarrok's suggested causes for increased flight disruptions and incomplete review of airfares, the analysis of flight performance data appears reliable. See Roytburg, Eva. "Harvard researcher unearths data airlines don't want you to notice: Three-hour flight delays are 4x more common now than 30 years ago." *Fortune*, 14 Aug. 2025. <https://fortune.com/2025/08/14/harvard-researcher-airline-delays-data-faa-shortages/>; Tabarrok, Maxwell. "Is Air Travel Getting Worse?" *Maximum Progress*, 11 Aug. 2025. <https://www.maximum-progress.com/p/is-air-travel-getting-worse>

<sup>5</sup> [49 USC 40101](#); [49 USC 41712](#); [Sec 512 of the FAA Reauthorization Act of 2024](#)

The undersigned organizations strongly urge you to reverse course and continue the rulemaking process initiated with the ANPRM.

Sincerely,

American Economic Liberties Project  
Consumer Action  
Consumer Federation of America  
FlyersRights  
National Consumers League  
Travelers United

cc: Steven G. Bradbury, Deputy Secretary of Transportation  
Blane A. Workie, Assistant General Counsel for the Office of Aviation Consumer  
Protection