

Congress of the United States

Washington, DC 20515

December 17, 2025

Mitch Behm
Acting Inspector General
Office of Inspector General
U.S. Department of Transportation
1200 New Jersey Ave SE
Washington DC 20590

Dear Acting Inspector General Behm:

Transportation Secretary Sean Duffy is a former airline industry lobbyist, and, now as head of the U.S. Department of Transportation (DOT), has steadily eliminated passenger protection rules that are strongly opposed by the airline industry. We request that the DOT's Office of Inspector General (OIG) investigate whether Secretary Duffy has violated federal ethics law by improperly assisting the industry he previously represented. Secretary Duffy's actions are poised to have real-world implications: this holiday season, as Americans face flight delays and cancellations, they may be denied compensation from airlines because of a top regulator's potential bias and favoritism toward an industry that formerly employed him.

Even as Americans face higher prices almost everywhere — including for air travel — the DOT has made air travel more expensive and burdensome for customers. On November 17, 2025, DOT eliminated protections that would have required airlines to automatically send passengers between \$200-\$775 in cash payments for delays of more than 3 hours caused by the airline.¹ These payments were designed to compensate for costs to passengers arising from delays, potentially including reimbursements for hotels, airport meals, airport parking, and more. Similarly, on December 5, 2025, DOT halted a rule that required airlines to refund travelers when they canceled flights and rebooked passengers with a different flight number.² Completing the trifecta, on December 10, 2025, DOT released new guidance informing airlines that they no longer have to compensate passengers for expenses incurred as a result of delays and cancellations caused by aircraft recalls.³ Also this year, DOT announced it would pause requiring

¹ U.S. Department of Transportation, Federal Register Notice, "Airline Passenger Rights; Withdrawal," November 17, 2025, <https://www.federalregister.gov/documents/2025/11/17/2025-20042/airline-passenger-rights-withdrawal>; U.S. Department of Transportation, Federal Register Notice, "Airline Passenger Rights," December 11, 2024, <https://www.federalregister.gov/documents/2024/12/11/2024-28930/airline-passenger-rights>.

² Fox 4 KDFW, "DOT halts enforcement of key airline rule after carriers' request," Alexandra Koch, December 6, 2025, <https://www.fox4news.com/news/dot-halts-enforcement-key-airline-rule-after-carriers-request>; U.S. Department of Transportation, Federal Register Notice, "Airline Refunds and Other Consumer Protections," December 5, 2025, <https://www.federalregister.gov/documents/2025/12/05/2025-22140/airline-refunds-and-other-consumer-protections>; U.S. Department of Transportation, Federal Register Notice, "Refunds and Other Consumer Protections," April 26, 2024, <https://www.federalregister.gov/documents/2024/04/26/2024-07177/refunds-and-other-consumer-protections>.

³ U.S. Department of Transportation, Federal Register Notice, "Airline Customer Service Commitments for Controllable Flight Disruptions: Unscheduled Maintenance in Response to FAA Airworthiness Directives,"

airlines to reimburse the 15,000 passengers whose wheelchairs they damage each year.⁴ DOT has also decided to let Southwest Airlines off the hook following the airline's 2022 holiday meltdown that stranded two million customers, announcing that it would waive the landmark fine imposed by the previous Secretary of Transportation.⁵ These moves all appear to reflect DOT's new priority of placing the potential "financial burden on airlines" ahead of the "significant inconvenience, stress, and financial cost" facing the millions of passengers impacted by flight delays and cancellations each year.⁶

The impact of these changes will hit travelers right in the wallet: airlines will keep billions of extra dollars that otherwise would have gone toward reimbursing Americans who the industry has left stranded in airports across the country.⁷

These wins for airlines were delivered by a former industry lobbyist who now leads DOT, Secretary Duffy. Before entering the Trump Administration, Secretary Duffy worked for the lobbying firm BGR Government Affairs for years.⁸ In 2020, he was a registered lobbyist for the airline industry coalition Partnership for Open Skies,⁹ whose members include American Airlines, Delta Air Lines, and United Airlines,¹⁰ and his firm was paid \$70,000 for that representation.¹¹ Since then, Secretary Duffy has been a paid consultant for the airline coalition

December 10, 2025, <https://www.federalregister.gov/documents/2025/12/10/2025-22415/airline-customer-service-commitments-for-controllable-flight-disruptions-unscheduled-maintenance-in>; WGEM, "US government says airlines don't have to cover passenger expenses amid aircraft recalls," December 11, 2025, <https://www.wgem.com/2025/12/12/us-government-says-airlines-dont-have-cover-passenger-expenses-amid-aircraft-recalls/>.

⁴ Forbes, "For Airlines, Trump's Deregulation Is Gift That Keeps On Giving," Suzanne Rowan Kelleher, December 8, 2025, <https://www.forbes.com/sites/suzannerowankelleher/2025/12/08/for-airlines-trump-deregulation-gift-keeps-giving/>.

⁵ CNBC, "Trump administration waives \$11 million fine for Southwest Airlines' 2022 holiday meltdown," Leslie Josephs, December 6, 2025, <https://www.cnbc.com/2025/12/06/trump-administration-waives-11-million-southwest-fine.html>. Axios, "Delta faces investigation over 'continued widespread disruptions'," Alex Fitzpatrick, July 23, 2024, <https://www.axios.com/2024/07/23/delta-investigation-dot-delays-cancellations>.

⁶ U.S. Department of Transportation, Federal Register Notice, "Airline Passenger Rights," December 11, 2024, <https://www.federalregister.gov/documents/2024/12/11/2024-28930/airline-passenger-rights>; Government Accountability Office, "AIRLINE PASSENGER PROTECTIONS Observations on Flight Delays and Cancellations, and DOT's Efforts to Address Them," April 2023, <https://www.gao.gov/assets/gao-23-105524.pdf>.

⁷ U.S. Department of Transportation, Federal Register Notice, "Airline Passenger Rights; Withdrawal," November 17, 2025, <https://www.federalregister.gov/documents/2025/11/17/2025-20042/airline-passenger-rights-withdrawal>.

⁸ Politico, "Former GMA lobbyist joins Trump administration," Theodor Meyer, February 18, 2020, <https://www.politico.com/newsletters/politico-influence/2020/02/18/former-gma-lobbyist-joins-trump-administration-785483>; LinkedIn, "Sean Duffy", December 12, 2025, <https://www.linkedin.com/in/seanduffywi/>

⁹ Secretary of the Senate, Office of Public Records, "Lobbying Registration 5357," February 13, 2020, <https://lda.senate.gov/filings/public/filing/b3144a5d-12d9-43db-b267-08a92495ecae/print/>; Secretary of the Senate, Office of Public Records, "Lobbying Report # 5357-1008100, 2020 Q2" September 16, 2020, <https://lda.senate.gov/filings/public/filing/470c306f-48c3-4f1e-8770-581c18881867/print/>;

¹⁰ Partnership for Fair and Open Skies, "Who We Are," <https://www.openandfairskies.com/about-us/>.

¹¹ Politico, "Former GMA lobbyist joins Trump administration," Theodor Meyer, February 18, 2020, <https://www.politico.com/newsletters/politico-influence/2020/02/18/former-gma-lobbyist-joins-trump-administration-785483>; Secretary of the Senate, Office of Public Records, "Lobbying Registration 5357," February 13, 2020, <https://lda.senate.gov/filings/public/filing/b3144a5d-12d9-43db-b267-08a92495ecae/print/>; Secretary of the Senate, Office of Public Records, "Lobbying Report # 5357-1008100, 2020 Q1" September 16, 2020,

as recently as 2024.¹² This representation as both a lobbyist and consultant may have left Secretary Duffy with a bias in favor of the industry he now regulates. Secretary Duffy appears to also maintain a relationship with his former lobbying firm, BGR; as of last year, he was a member of BGR's advisory board and a consultant for BGR clients, and just last weekend, he reportedly attended a sporting event in the suite of BGR's managing director.¹³

We are very concerned that Secretary Duffy may have eliminated protections for American travelers not based on impartial policy assessments and the good of the flying public, but, at least in part, as a result of conflicts of interest and potential bias related to his former client's airline members. Those same airlines fought against the passenger protection rules, suing to kill some of them in court,¹⁴ and urging in regulatory filings that they be "terminated."¹⁵ Then when President Trump named Secretary Duffy as his intended nominee, Delta Air Lines welcomed the announcement as a "breath of fresh air"¹⁶ — and since then has paid Secretary Duffy's former employer hundreds of thousands of dollars to lobby his department.¹⁷ Similarly, the airlines' trade association announced that it was "thrilled" and "eager to collaborate with [Duffy]."¹⁸ That collaboration appears to have paid off for the airlines, potentially contributing to the revocation

<https://lda.senate.gov/filings/public/filing/470c306f-48c3-4f1e-8770-581c18881867/print/>; Secretary of the Senate, Office of Public Records, "Lobbying Report # 5357-1008100, 2020 Q2" September 16, 2020, <https://lda.senate.gov/filings/public/filing/080f715d-1929-4532-ace0-a59defa4bda9/print/>;

¹² Politico, "Here's what happens when big-time lobbyists become big-name Trump officials," Caitlin Oprysko, September 21, 2025, <https://www.politico.com/news/2025/09/21/lobbying-connections-duffy-wiles-00574382>; U.S. Office of Government Ethics, "Public Financial Disclosure Report (OGE Form 278e) – Duffy, Sean", January 15, 2025, pp. 3, 11, 18, [https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/2BBE4FE7D861360885258C130032E94F/\\$FILE/Duffy%2C%20Sean%20%20final278.pdf](https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/2BBE4FE7D861360885258C130032E94F/$FILE/Duffy%2C%20Sean%20%20final278.pdf).

¹³ Politico, "Tim Scott's chief heads to K Street," Caitlin Oprysko and Daniel Barnes, December 15, 2025, <https://www.politico.com/newsletters/politico-influence/2025/12/15/tim-scotts-chief-heads-to-k-street-00691817>; U.S. Office of Government Ethics, "Public Financial Disclosure Report (OGE Form 278e) – Duffy, Sean," January 15, 2025, pp. 3, 11, [https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/2BBE4FE7D861360885258C130032E94F/\\$FILE/Duffy%2C%20Sean%20%20final278.pdf](https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/2BBE4FE7D861360885258C130032E94F/$FILE/Duffy%2C%20Sean%20%20final278.pdf).

¹⁴ Fortune, "Five major airlines are suing the U.S. government over a rule that punished them for damaging passengers' wheelchairs," Sasha Rogelberg, February 21, 2025, <https://fortune.com/2025/02/21/airlines-lawsuit-transportation-department-rule-wheelchair-user-protection/>.

¹⁵ NBC News, "Airline passengers would get paid for major delays under rules considered by Biden administration," Marlene Lenthag and Jay Blackman, December 5, 2024, <https://www.nbcnews.com/news/us-news/airline-passengers-get-paid-major-delays-rules-considered-biden-admini-rcna182985>; U.S. Department of Transportation, Comment on Document (DOT-OST-2024-0062-0029), "Comment from Airlines for America", Airlines for America, February 11, 2025, p. 1, <https://www.regulations.gov/comment/DOT-OST-2024-0062-0347>.

¹⁶ Associated Press, "Delta CEO says the Trump administration will reverse government 'overreach' seen under Biden," David Koenig, November 20, 2024, <https://apnews.com/article/delta-airlines-trump-biden-regulation-c4393d5f763d95c8286d4069563032dc>.

¹⁷ Secretary of the Senate, Office of Public Records, "Lobbying Report # 5357-5357-1008100, 2020 Q2" September 16, 2020, <https://lda.senate.gov/filings/public/filing/470c306f-48c3-4f1e-8770-581c18881867/print/>; Secretary of the Senate, Office of Public Records, "Lobbying Report # 5357-137, 2025 Q3" October 20, 2025, <https://lda.senate.gov/filings/public/filing/326e64fc-72e7-42dc-8ac4-665a250ca87c/print/>; Secretary of the Senate, Office of Public Records, "Lobbying Report # 5357-137, 2025 Q2" July 7, 2025, <https://lda.senate.gov/filings/public/filing/0c9beded-93a4-45d4-b6a8-5ef0b6b4d751/print/>; Secretary of the Senate, Office of Public Records, "Lobbying Report # 5357-137, 2025 Q1," April 21, 2025, <https://lda.senate.gov/filings/public/filing/75dba599-d30f-408e-963b-7f4903037a03/print/>;

of rules that would have put money back into Americans' pockets. It has also paid off for BGR, which expanded its portfolio of clients seeking to lobby DOT after its former employee became head of the department.¹⁹

Given our concerns about the impact of bias and conflicts of interest, and whether they may have affected the DOT rulemaking process, we ask your office to evaluate the Secretary's compliance with federal ethics laws, and his involvement in regulatory matters that may have affected his previous clients. Conflict-of-interest rules require employees not to participate in particular matters in which they²⁰ or their recent or prospective employers²¹ have a financial interest, and direct them to avoid circumstances that create an appearance of impropriety to reasonable observers.²² In his ethics agreement, Secretary Duffy agreed not to participate for one year in specific-party matters in which his former employer BGR is involved. He also agreed "not [to] participate personally and substantially in any particular matter involving specific parties in which ... a former client ... is a party or represents a party for a period of one year" following the end of his work with them.²³ However, DOT's dismantling of consumer protections opposed by Secretary Duffy's former airline client's members — at least one of which BGR still represents — raises questions about Duffy's compliance with such restrictions, and, even if he did comply, whether Secretary Duffy's close relationship with the airline industry may have created a conflict of interest that affected DOT rulemaking.

The failure of another DOT official, the head of the Federal Aviation Administration, to divest his airline stock, in violation of his ethics agreement,²⁴ heightens concerns about whether a culture of noncompliance with federal ethics rules has developed at the DOT. We ask that the Office of Inspector General evaluate whether any conflicts of interest of Secretary Duffy, or any other DOT officials, may have affected DOT rulemaking regarding the airline industry, including the following questions:

1. Does Secretary Duffy's former work with BGR, including for airline industry clients, present a real or perceived conflict of interest?
2. Has Secretary Duffy had any involvement with DOT rulemakings with regard to compensation or reimbursement of travelers by airline companies? If so, what was the nature of this involvement?

¹⁸ Airlines for America, "Airlines for America Congratulates Congressman Sean Duffy on Being Nominated to Serve as Department of Transportation Secretary," November 18, 2024, <https://www.airlines.org/news-update/airlines-for-america-congratulates-congressman-sean-duffy-on-being-nominated-to-serve-as-department-of-transportation-secretary/>; Airlines for America, "Who We Are," <https://www.airlines.org/who-we-are/>.

¹⁹ Politico, "Here's what happens when big-time lobbyists become big-name Trump officials," Caitlin Oprysko, September 21, 2025, <https://www.politico.com/news/2025/09/21/lobbying-connections-duffy-wiles-00574382>.

²⁰ 5 C.F.R. § 2635.402; 5 C.F.R. § 2635.502.

²¹ 18 U.S.C. § 208; 5 C.F.R. § 2635.402; 5 C.F.R. § 2635.502; 5 C.F.R. § 2635.503.

²² 5 CFR § 2635.101; 5 CFR § 2635.502.


²³ U.S. Office of Government Ethics, "Ethics Agreement - Sean Duffy," January 15, 2025, [https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/309D7AF0E49F7A7885258C130032FC36/\\$FILE/Duffy%2C%20Sean%20%20finalEA.pdf](https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/309D7AF0E49F7A7885258C130032FC36/$FILE/Duffy%2C%20Sean%20%20finalEA.pdf).

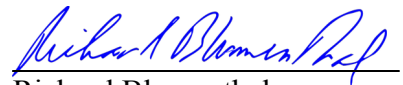
²⁴ Washington Post, "Senator says FAA administrator failed to sell multimillion-dollar airline stake as promised", Josh Funk, December 11, 2025, https://www.washingtonpost.com/business/2025/12/11/faa-administrator-bedford-ethics-republic-airways-stock/20ac7010-d6ee-11f0-a93c-a869cf73ebd6_story.html.

3. Has Secretary Duffy met with representatives from BGR, United Airlines, Delta Air Lines, or American Airlines since becoming Transportation Secretary?
4. Has Secretary Duffy participated in particular matters in which he, or an entity whose interests are imputed to him, has a financial interest?²⁵
 - a. Has Secretary Duffy recused himself from any matters? If so, please provide the date of the recusal and describe the circumstances.
5. Has Secretary Duffy sought a waiver to participate in any work that presents a conflict of interest?
 - a. Has he received any such waiver? If so, please provide a copy of the waiver and the waiver request.
6. On what date did Secretary Duffy resign from BGR?
7. Had Secretary Duffy provided services to any clients in the year before he entered office?
 - a. If so, has he complied with his obligation not to participate in any such clients' matters for 1 year after terminating his services to the client?
8. Has Secretary Duffy participated in any particular matters, including particular matters of general applicability, that have a direct and predictable effect on BGR or BGR's airline clients?
9. Has Secretary Duffy received any covered payment (as defined in 5 C.F.R. § 2635.503) from BGR, and BGR clients, or any other former employer?
 - a. If so, has he complied with obligations not to participate in particular matters in which one of those entities is a party or represents a party?²⁶
 - b. If Secretary Duffy has recused from any such matters, please provide the date of the recusal and describe the circumstances.
10. Do other DOT officials have potential conflicts of interest related to the passenger reimbursement and compensation rules affecting the airline industry?

Thank you for your attention to this important matter.


Sincerely,


Elizabeth Warren
United States Senator


Richard Blumenthal
United States Senator

²⁵ 18 USC § 208.

²⁶ 5 C.F.R. § 2635.503.



Jerrold Nadler
Member of Congress