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119TH CONGRESS
2D SESSION

H. R. 10516

To prohibit air carriers from imposing fees that are not reasonable and proportional to the costs incurred by the air carriers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 21, 2026

Mr. COHEN (for himself, Mr. KHANNA, and Mr. GARCÍA of Illinois) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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A BILL

To prohibit air carriers from imposing fees that are not reasonable and proportional to the costs incurred by the air carriers, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Forbidding Airlines from Imposing Ridiculous Fees Act of 2026'' or the ''FAIR Fees Act of 2026''.

SEC. 2. REGULATIONS PROHIBITING THE IMPOSITION OF FEES THAT ARE NOT REASONABLE AND PROPORTIONAL TO THE COSTS INCURRED.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Transportation shall prescribe regulations—

(1) prohibiting an air carrier from imposing fees described in subsection (b) that are unreasonable or disproportional to the costs incurred by the air carrier; and

(2) establishing standards for assessing whether such fees are reasonable and proportional to the costs incurred by the air carrier.

(b) FEES DESCRIBED.—The fees described in this subsection are—

(1) any fee for a change or cancellation of a reservation for a flight in passenger air transportation;

(2) any fee relating to checked or carry-on baggage to be transported on a flight in passenger air transportation;

(3) any fee relating to the choice or assignment of seats on a flight in passenger air transportation;

(4) any fee relating to priority boarding on a flight in passenger air transportation; and

(5) any other fee imposed by an air carrier relating to a flight in passenger air transportation.

(c) CONSIDERATIONS.—In establishing the standards required by subsection (a)(2), the Secretary shall consider—

(1) with respect to a fee described in subsection (b)(1) imposed by an air carrier for a change or cancellation of a flight reservation—

(A) any net benefit or cost to the air carrier from the change or cancellation, taking into consideration—

(i) the ability of the air carrier to anticipate the expected average number of cancellations and changes and make reservations accordingly;

(ii) the ability of the air carrier to fill a seat made available by a change or cancellation;

(iii) any difference in the fare likely to be paid for a ticket sold to another passenger for a seat made available by the change or cancellation, as compared to the fare that was paid for the seat for which the reservation was changed or canceled; and

(iv) the likelihood that the passenger changing or canceling the reservation will, as a result, fill a seat on another flight by the same air carrier;

(B) the costs of processing the change or cancellation electronically; and

(C) any related labor costs;

(2) with respect to a fee described in subsection (b)(2) imposed by an air carrier relating to checked baggage—

(A) the costs of processing checked baggage electronically; and

(B) any related labor costs;

(3) with respect to a fee described in subsection (b)(3) imposed by an air carrier relating to the choice or assignment of seats on a flight in passenger air transportation, ensuring that passengers traveling with children age 13 or younger are able to be seated with those children at no additional charge to the passengers traveling with such children or to any other passenger traveling on the flight involved; and

(4) any other considerations the Secretary considers appropriate.

(d) UPDATED REGULATIONS.—The Secretary shall update the standards required by subsection (a)(2) not less frequently than every 3 years.

(e) DEFINITIONS.—In this section:

(1) AIR CARRIER.—The term ''air carrier'' means any air carrier that holds an air carrier certificate under section 41101 of title 49, United States Code.

(2) PASSENGER AIR TRANSPORTATION.—The term ''passenger air transportation'' means, with respect to the transportation of passengers by aircraft as a common carrier for compensation, foreign air transportation, interstate air transportation, and intrastate air transportation, as such terms are defined in section 40102 of title 49, United States Code.

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