



## 2026 FEDERAL BRIEFING

# YOUR FEDERAL FLYING RIGHTS

Cash Refunds, Bumping Pay, and What Airlines Don't Tell You

### INSIDE THIS GUIDE

- The 5 federal rights you have on every flight
- When the airline owes you cash, not a voucher
- Bumping payouts up to \$2,150
- Tarmac delay rules and your right to deplane
- Baggage liability up to \$4,700
- Six common mistakes that cost flyers money
- How to file a federal complaint



**GovClarity**

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# Why This Guide, Why Now

The last two years brought the biggest changes to U.S. airline passenger rights in over a decade. Three matter most for 2026 flyers:

OCTOBER 2024

## Automatic Cash Refund Rule

When an airline cancels or significantly changes a flight, refunds must now be issued automatically in the original form of payment – not as vouchers.

LATE 2024

## Inflation-Adjusted Compensation Caps

Bumping payouts and baggage liability went up significantly – both higher than most flyers realize.

MAY 26, 2026

## One-Page Passenger Rights Summary

Every covered U.S. and foreign airline must now post a plain-English summary of passenger rights on its website. For the first time, airlines themselves have to spell out what they owe you.

Two other rules went the other way and are worth knowing:

## November 2025 — No Cash for Delays

The DOT withdrew a proposed rule that would have paid passengers cash for ordinary delays (similar to Europe's EU 261). U.S. flyers still have no general right to cash compensation for delays.

## February 2026 — Drip Pricing Still Legal

A federal appeals court vacated the rule that would have required airlines to show baggage and change fees upfront when booking. Drip pricing remains legal.

# Who Regulates U.S. Airlines

## The Regulator

The U.S. **Department of Transportation (DOT)** – specifically its Office of Aviation Consumer Protection – sets and enforces the rules covered in this guide.

The rules are codified under **Title 14 of the Code of Federal Regulations (14 CFR)**, primarily:

- Part 250 – Oversales/Bumping
- Part 254 – Baggage Liability
- Part 259 – Tarmac and Consumer Protections
- Part 260 – Refunds

These are federal regulations, not airline customer service policies. An airline can choose to give you **more** than the rules require. They can **never** give you less.

### ✔ DOT rules apply to:

- Every U.S. airline operating in the U.S. or internationally
- Every foreign airline operating to or from a U.S. airport

### ⚠ DOT rules do NOT apply to:

- Foreign airlines flying entirely outside the United States (e.g., Air France from Paris to Rome – that's covered by EU rules, not DOT)

U.S. DEPARTMENT OF TRANSPORTATION





# The Five Federal Rights Every Flyer Has

1

## **Automatic Cash Refunds**

For cancellations and significant changes

2

## **Bumping Compensation**

Federally mandated pay for involuntary denied boarding

3

## **Right to Deplane**

After a long tarmac delay

4

## **Baggage Liability**

For lost, damaged, or delayed checked bags

5

## **Fee Refunds**

For services you paid for and didn't receive

# Right 1 — Automatic Cash Refunds

When an airline cancels a flight or makes a "significant change," and you choose not to travel, you are owed a full cash refund — automatically, in the original form of payment. No voucher unless you explicitly accept one.

## What Counts as a Significant Change

Change Type	Threshold
Departure or arrival time change (domestic)	3 hours or more
Departure or arrival time change (international)	6 hours or more
Different departure or arrival airport	Any change
Connection added	Any addition
Cabin or service class downgrade	Any downgrade

## Refund Timing

Credit card purchases: within 7 business days.  
Cash, check, or debit purchases: within 20 calendar days.

## Voucher Rule

**i** If you do choose a voucher instead of cash, federal rules now require it to be valid for at least 5 years from issuance.



# Right 2 — Compensation for Involuntary Bumping

When a flight is oversold and the airline cannot get you to your destination within an hour of your original arrival time, you are owed a federally mandated payment — paid by cash or check, on the day you're bumped.

Arrival Delay	Compensation	Cap
Within 1 hour of original	None	—
1–2 hours late	200% of one-way fare	\$1,075
More than 2 hours late	400% of one-way fare	\$2,150

- ⓘ The airline must ask for volunteers first. If nobody volunteers and you're picked involuntarily, the airline is also required to hand you a written statement of your rights.



# Right 3 — The Right to Deplane After a Long Tarmac Delay

Federal rule limits how long an airline can keep you trapped on the aircraft.

Flight Type	Maximum Tarmac Delay
Domestic	3 hours
International	4 hours

During the delay, the airline must also provide:

- Food (a snack at minimum) and drinking water by the 2-hour mark
- Working lavatories at all times
- Medical attention if needed
- Status updates from the cockpit at least every 30 minutes



**Penalty for violations:** The DOT can fine the airline up to \$27,500 per passenger on board the flight. The 3-hour and 4-hour clocks start when the cabin doors close, not when the flight was scheduled to depart.

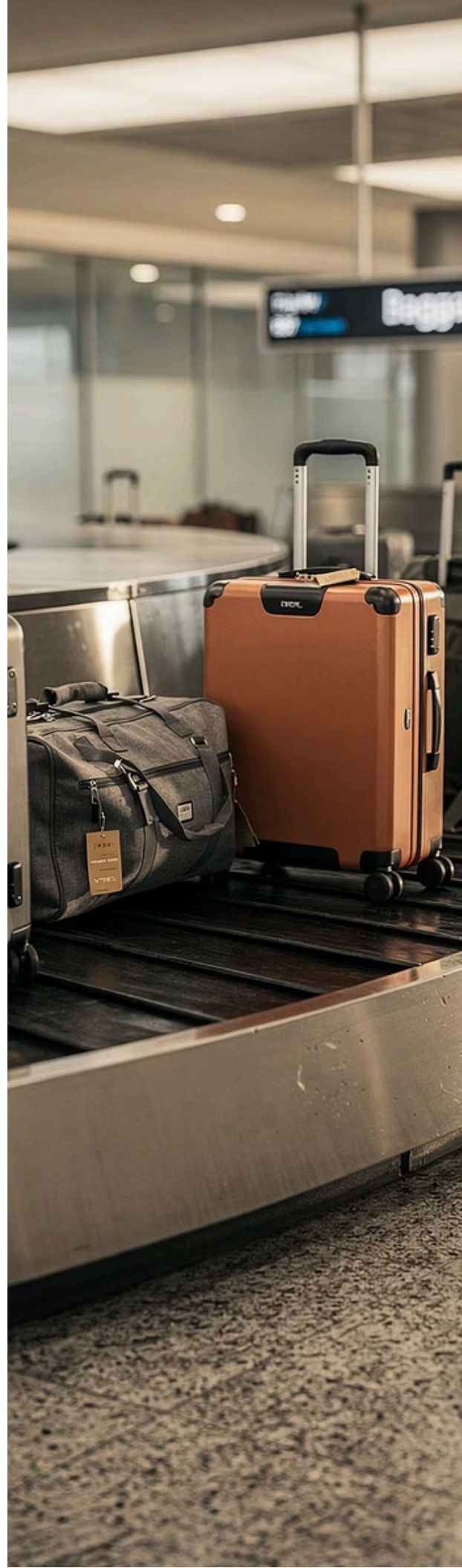


# Right 4 — Compensation for Lost, Damaged, or Delayed Baggage

When a checked bag is lost, damaged, or delayed, the airline is liable for the depreciated value of the contents up to a federal cap.

Flight Type	Liability Cap (per passenger)
Domestic	\$4,700
International (Montreal Convention)	~\$2,080 (1,519 SDR)


While your bag is delayed, the airline must reimburse reasonable incidental expenses — clothes, toiletries, a phone charger, anything you legitimately need. There is no fixed daily limit on these expenses. Most airlines declare a bag "officially lost" between 5 and 14 days after the flight.

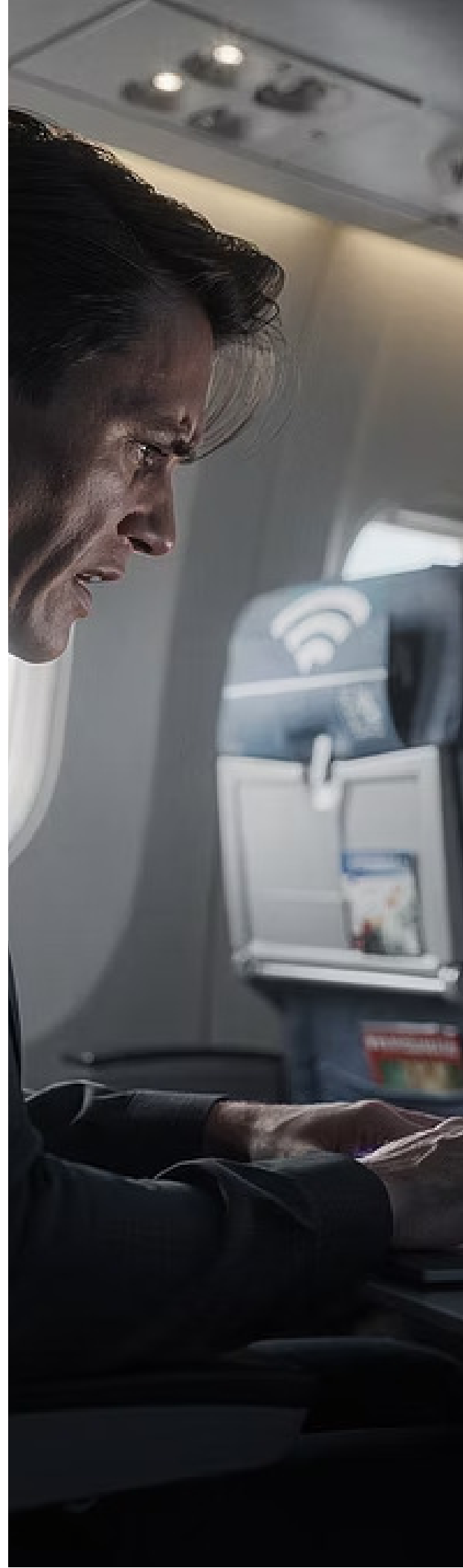


# Right 5 — Refunds for Services You Paid For and Didn't Get

If you paid extra for a service the airline failed to deliver, the fee is refunded automatically. This includes:

- Wi-Fi that didn't work
- Seat upgrades that never came through
- Checked bag fees when the bag arrives more than 12 hours late on a domestic flight, or 15 to 30 hours late internationally (depending on flight length)
- Other ancillary services not provided as paid

 To trigger the bag fee refund, you must file a Mishandled Baggage Report (MBR) before leaving the airport.



# How to Claim — Canceled or Significantly Changed Flight

01

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## Confirm the Change Qualifies

Use the significant change table to verify the threshold is met.

02

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## Choose Your Option

The airline will offer rebooking, a travel credit, or a refund.

03

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## Say the Magic Word

Use the word "refund." Not "credit." Not "voucher." Refund. Confirm it goes back to your original form of payment.

04

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## Track the Timing

7 business days (credit card) or 20 calendar days (other). If it doesn't appear, dispute with your card issuer and file a DOT complaint.



# How to Claim — Involuntarily Bumped from a Flight

01

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## Listen for the Volunteer Call

The airline must ask for volunteers before bumping anyone involuntarily.

02

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## Request Your Written Rights Statement

If you're picked, immediately ask for the written statement of denied boarding rights — federally required.

03

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## Calculate What You're Owed

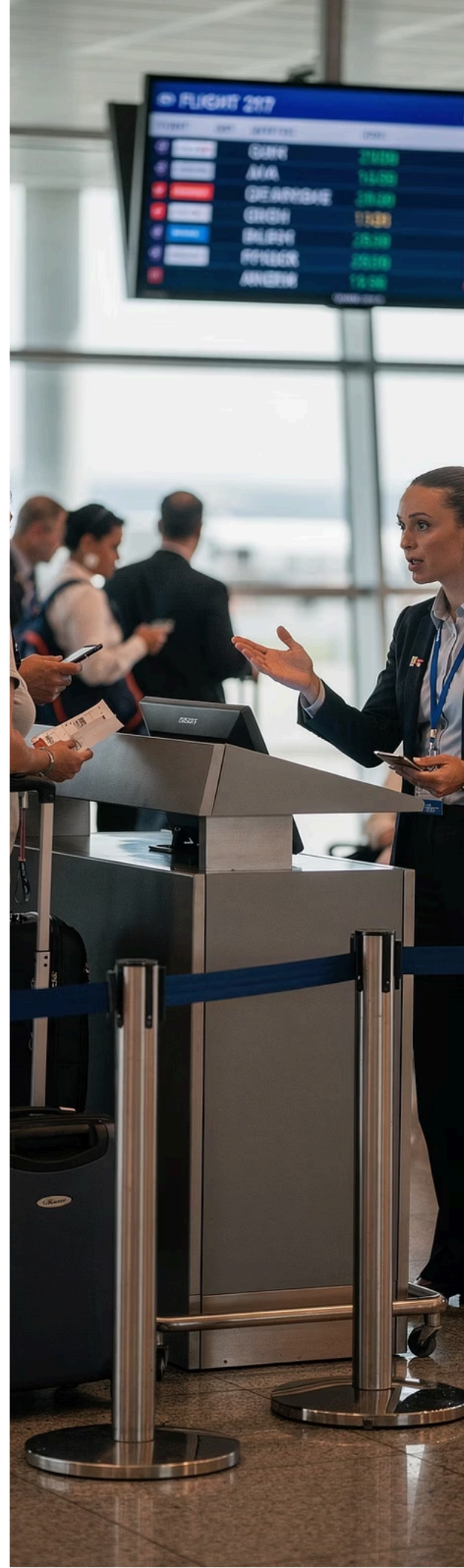
200% or 400% of your one-way fare, capped at \$1,075 or \$2,150.

04

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## Demand Cash or Check — Same Day

Do not accept a travel voucher unless it's clearly worth more than your cash entitlement. Get the agent's name and flight number.



# How to Claim — Stuck on the Tarmac

01

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## Note the Door-Close Time

That starts the clock – not the scheduled departure time.

02

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## 2-Hour Mark

The airline must provide snacks and drinking water.

03

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## 3 or 4 Hours

At 3 hours (domestic) or 4 hours (international), they must give passengers the chance to deplane.

04

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## Document Everything

Times, captain announcements, what was offered, what wasn't. File a complaint at [transportation.gov/airconsumer](https://www.transportation.gov/airconsumer) when you get home.



# How to Claim — Lost or Delayed Baggage

01

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## Go to the Baggage Office Before Leaving

Do not leave the airport without filing a report.

02

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## File a Mishandled Baggage Report (MBR)

Also called a Property Irregularity Report at some airlines. Get the reference number — write it down or photograph it.

03

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## Keep Every Receipt

Save receipts for all items you buy while waiting on your bag.

04

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## File a Claim If Lost

If the bag is officially declared lost, file a claim for the value of contents (up to \$4,700 domestic).



# How to Claim — Service You Paid For and Didn't Get

01

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## Document the Failure

Screenshots, receipts, written notes of what you paid for and what didn't work.

02

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## File the Refund Request

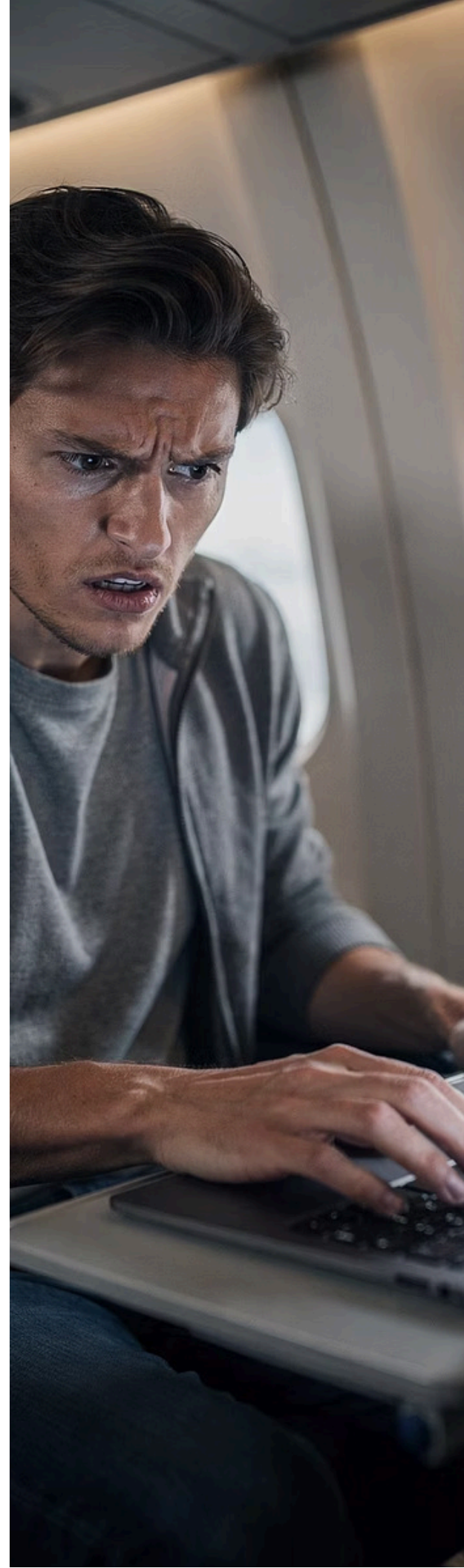
Directly with the airline within their stated deadline (often 24 hours for some fees).

03

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## Escalate If Needed

If the refund doesn't appear within a few weeks, escalate to the airline's customer relations team. If they refuse, file a DOT complaint.



# The Numbers Quick Reference

**7**

## **Business Days**

Refund deadline for credit card purchases

**20**

## **Calendar Days**

Refund deadline for cash, check, or debit purchases

**\$1,075**

## **Bumping Cap**

Maximum payout for 1–2 hour delay (200% of one-way fare)

**\$2,150**

## **Bumping Cap**

Maximum payout for 2+ hour delay (400% of one-way fare)

**3 hrs**

## **Tarmac Limit**

Maximum tarmac delay for domestic flights

**4 hrs**

## **Tarmac Limit**

Maximum tarmac delay for international flights

**\$27.5K**

## **Per-Passenger Fine**

Maximum DOT penalty per passenger for tarmac violations

**\$4,700**

## **Domestic Bag Cap**

Maximum baggage liability per passenger on domestic flights

**\$2,080**


## **International Bag Cap**

Maximum baggage liability per passenger under Montreal Convention

**5 yrs**

## **Voucher Validity**

Minimum validity if you accept a voucher in lieu of cash refund

 Bumping compensation is paid the same day, in cash or check. Bag fee auto-refund triggers at 12 hours late (domestic) or 15–30 hours late (international).

# The 7 Mistakes That Cost Flyers the Most Money

1

## Taking the Voucher When You Were Owed Cash

The voucher is the cheaper outcome for the airline. The cash refund is your right – but only if you ask for it.

2

## Thinking Weather Wipes Out Your Rights

The cancellation refund rule applies regardless of cause. Weather, mechanical, crew, or air traffic – the cause doesn't matter, the cancellation does.

3

## Walking Out Without Filing the MBR

No MBR means no documented record of when your bag went missing. That can sink the entire claim. File before you leave the airport, every time.

4

## Confusing Volunteer Offer with Involuntary Bumping

When the gate agent offers \$400 to take a later flight, that's a negotiation – you can counter, decline, or hold out. Involuntary bumping is different: federally mandated, fixed dollar amounts, no negotiating.

5

## Assuming DOT Rules Cover Foreign-to-Foreign Flights

DOT rules cover U.S. airlines and any flight that touches the United States. A flight from Paris to Rome on Air France isn't covered – that falls under European rules.

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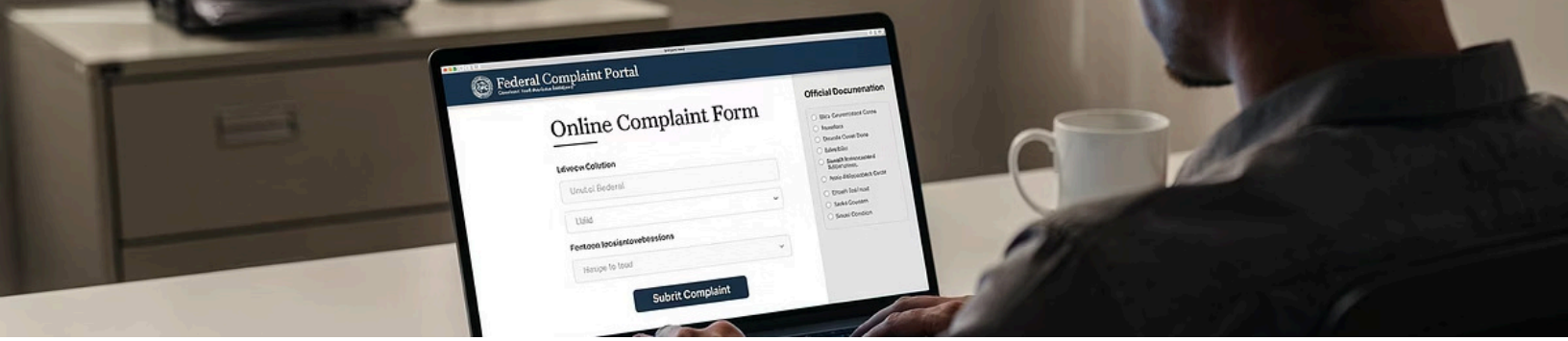
## Expecting Cash for an Ordinary Delay

Europe's EU 261 pays €250–€600 for delays over 3 hours. The U.S. has no equivalent. The DOT proposed a similar rule and withdrew it in November 2025. A delay only triggers a payout if it becomes a cancellation, significant change, or involuntary bumping.

7

## Not Filing a Federal Complaint

Filing a complaint at [transportation.gov/airconsumer](https://www.transportation.gov/airconsumer) is free, takes about 10 minutes, and the DOT actually tracks the data and uses it for enforcement. The airlines watch those numbers. If passengers don't file, the rules don't get enforced.



# How to File a Federal Complaint with the DOT

When an airline ignores any of the rules in this guide, file a complaint with the U.S. Department of Transportation.

**Where to file:** [transportation.gov/airconsumer](https://www.transportation.gov/airconsumer) — Free, no fee, takes about 10 minutes.

## What to Include

### 1 Flight Details

Airline, flight number, date, and route

### 2 The Specific Rule Violated

Reference the exact regulation you believe was broken

### 3 What Happened

Be factual and chronological

### 4 What the Airline Offered or Refused

Document their response precisely

### 5 Documentation

Boarding pass, receipts, photos, written communications

### 6 Resolution Sought

State clearly what outcome you are requesting

## What Happens Next

01

### DOT Logs Your Complaint

The complaint is forwarded to the airline.

02

### Airline Must Respond

The airline has 60 days to respond to your complaint.

03

### Enforcement Action Possible

If patterns emerge across multiple complaints, the DOT can open an enforcement action.

04

### Dispute in Parallel

You may also dispute charges with your credit card issuer at the same time.



# Official Resources and Phone Numbers



## Aviation Consumer Protection — General

File a complaint or get general information about your rights.

**Website:**

[transportation.gov/airconsumer](https://www.transportation.gov/airconsumer)

**Phone:** 1-202-366-2220

**Hours:** Monday–Friday, 8:30 AM – 5:00 PM Eastern



## Refund-Specific Information

Detailed guidance on the automatic cash refund rule and how to claim it.

**Website:**

[transportation.gov/individuals/aviation-consumer-protection/refunds](https://www.transportation.gov/individuals/aviation-consumer-protection/refunds)



## Bumping / Oversales Information

Full details on involuntary denied boarding compensation and your rights.

**Website:**

[transportation.gov/individuals/aviation-consumer-protection/bumping-oversales](https://www.transportation.gov/individuals/aviation-consumer-protection/bumping-oversales)



## Tarmac Delay Information

Rules on maximum tarmac hold times and required passenger amenities.

**Website:**

[transportation.gov/individuals/aviation-consumer-protection/tarmac-delays](https://www.transportation.gov/individuals/aviation-consumer-protection/tarmac-delays)



## Lost / Damaged / Delayed Baggage

Liability caps, how to file a claim, and what expenses are reimbursable.

**Website:** [transportation.gov/lost-delayed-or-damaged-baggage](https://www.transportation.gov/lost-delayed-or-damaged-baggage)

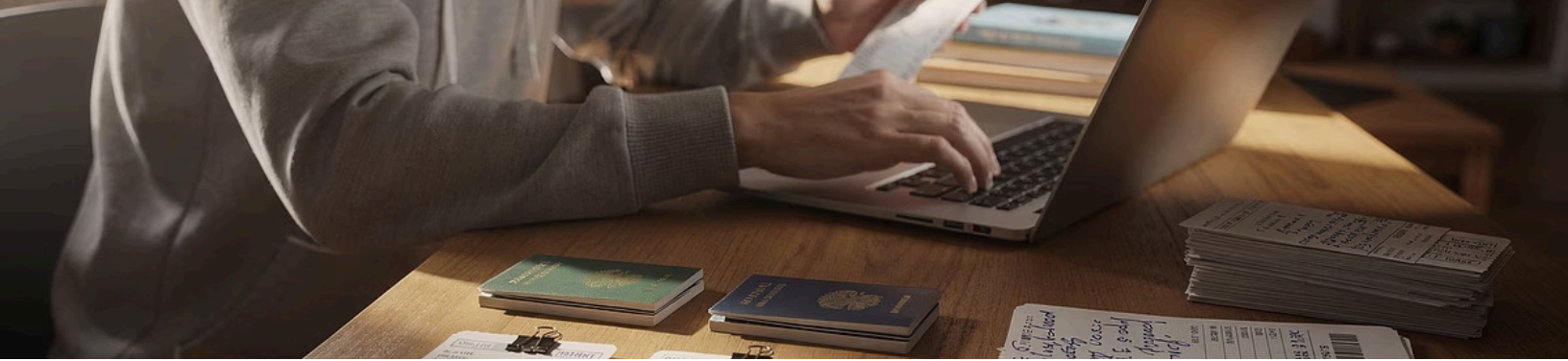
# Pre-Flight Checklist — Know Before You Fly

Use this every time you book or board a flight in 2026.

- Confirm whether the flight is operated by a U.S. carrier or a foreign carrier (DOT rules vs. EU/other rules)
- Save a copy of your boarding pass and confirmation email
- Note the original scheduled departure and arrival times
- Take a photo of your checked baggage before drop-off
- Save the gate agent's name if anything goes wrong
- Bookmark [transportation.gov/airconsumer](https://www.transportation.gov/airconsumer) on your phone
- Keep all receipts during any disruption — the airline must reimburse reasonable expenses

**i** Being prepared before you fly is the single most effective way to protect your rights. A 5-minute check before departure can save you hundreds of dollars if something goes wrong.





# When You Get Home — Post-Disruption Action List

If anything went wrong on your flight, work through this within 30 days.

## → Gather All Documentation

Boarding pass, receipts, written statements, photos, MBR reference number — collect everything in one place.

## → Contact Customer Relations in Writing

If the airline didn't comply, reach out via email or web form — this leaves a paper trail that matters.

## → Dispute the Charge

If the issue involved a charge, dispute it with your credit card issuer in parallel with the DOT complaint.

## → Confirm Any Refund Is Moving

Check the original card or account to verify the refund has been initiated within the required timeframe.

## → File a DOT Complaint

If they refuse or stall, file at [transportation.gov/airconsumer](https://www.transportation.gov/airconsumer). Free, fast, and it counts.

## → Save Everything for 6 Months

Keep all documentation until the matter is fully resolved — enforcement actions can take time.



## Final Word

The rules in this guide are not optional for the airlines. They are federal regulations with real teeth – civil penalties, enforcement actions, and a public complaint database that affects how airlines do business.

The reason flyers don't get what they're owed isn't that the rules are weak. It's that most flyers don't know the rules exist. Now you do.

### **Know Your Rights**

Federal law gives you specific, enforceable protections for cancellations, bumping, tarmac delays, and lost bags.

### **Ask for What You're Owed**

Use the word "refund."  
Request cash or check.  
Demand the written rights statement. The words you use matter.

### **File When They Don't Comply**

A DOT complaint is free, takes 10 minutes, and is one of the most effective tools a passenger has.

When something goes wrong on your next flight, you won't be the person taking whatever's offered. You'll be the person who knows exactly what's owed – and exactly how to ask for it.