

July 11, 2025

Mr. Scott Kirby
Chief Executive Officer
United Airlines
233 S. Wacker Drive
Chicago, Illinois 60606

Ms. Joanna Geraghty
Chief Executive Officer
JetBlue Airways
27-01 Queens Plaza North
Long Island City, New York 11101

Dear Mr. Kirby and Ms. Geraghty,

On May 29, 2025, your airlines announced a plan to form a partnership called "Blue Sky" wherein United Airlines (United) and JetBlue Airways (JetBlue) will sell tickets on each others' flights, exchange flight timings at two New York City area airports, offer benefits to each others' frequent flyers, and collaborate in other ways.¹ Given Blue Sky's apparent restraints on certain aspects of competition between your airlines, JetBlue's recent, failed attempts to form other partnerships, and the prospect that your airlines are contemplating merger or acquisition, I am extremely wary of any partnership that may harm full and fair airline competition and lead to fewer and more expensive options for travelers, particularly in the New York City area. I request that you provide additional information about this pact and potential future phases of collaboration.

Beyond reciprocal frequent flyer benefits, the public terms of the Blue Sky partnership include collaboration that draws your airlines closer together. Under the Blue Sky pact, United will reestablish its presence at New York's John F. Kennedy International Airport by accessing seven of JetBlue's JFK flight slots and JetBlue will gain eight of United's flight timings at Newark Liberty International Airport in New Jersey.² JetBlue will also gain access to United's larger frequent flier program and use United's Kinectic Media technology to sell customer-

¹ JetBlue, *JetBlue and United Announce Blue Sky: Unique Consumer Collaboration That Links Loyalty Programs*, May 29, 2025, <https://www.news.jetblue.com/latest-news/press-release-details/2025/JetBlue-and-United-Announce-Blue-Sky-Unique-Consumer-Collaboration-That-Links-Loyalty-Programs/default.aspx>.

² Alison Sider, *United Secures Return to JFK in New JetBlue Alliance*, WALL ST. J. (May 29, 2025), <https://www.wsj.com/business/airlines/united-and-jetblue-form-alliance-to-sell-seats-on-each-others-flights-a95343d6>; Brett Snyder, *JetBlue and United Begin Their Partnership With a Few Buried Surprises*, CRANKY FLIER (Jun. 2, 2025), <https://crankyflier.com/2025/06/02/jetblue-and-united-begin-their-partnership-with-a-few-buried-surprises/>.

tailored inflight advertisements.³ In turn, United will direct some of its travel bundling sales to JetBlue's Paisly platform.⁴

JetBlue's recent, failed partnership attempts call into question how your airlines will ensure Blue Sky does not unlawfully restrain competition. In 2023, a federal court ruled that JetBlue and American Airlines' Northeast Alliance (NEA) was unlawfully anticompetitive.⁵ In 2024, JetBlue ceased its efforts to acquire Spirit Airlines after the Department of Justice fought and a federal court prohibited the proposed merger.⁶ Several aspects of Blue Sky bear notable resemblance to JetBlue and American Airlines' failed NEA.⁷ Like the NEA, Blue Sky "provides for the pooling of both carriers' 'airport infrastructure'"⁸ in the New York City area, extends "frequent flier reciprocity"⁹ across both airlines, and gives both airlines "the ability to include each other's flights in their corporate deals."¹⁰ Overall, as the court noted with respect to the NEA, Blue Sky similarly "makes [United and JetBlue] partners, each having a substantial interest in the success of their joint and individual efforts, instead of vigorous, arms-length rivals regularly challenging each other in the marketplace of competition."¹¹ Full and fair competition would likewise suffer if the collaboration between United and JetBlue advances to the point of merger, as several reports note is likely.¹²

United and JetBlue's partnership aligns your airlines' businesses at a time when U.S. travelers face dwindling air travel options, raising a number of questions about Blue Sky's impact on competition and the evolution of your airlines' collaboration. As the court in the NEA case wrote, "The airline industry is an oligopoly that has become more concentrated due to a series of mergers in the first decades of the twenty-first century, with a small group of firms in

³ Brett Snyder, *JetBlue and United Begin Their Partnership With a Few Buried Surprises*, CRANKY FLIER (Jun. 2, 2025), <https://crankyflier.com/2025/06/02/jetblue-and-united-begin-their-partnership-with-a-few-buried-surprises/>; Matthew Klint, *New United Airlines "Media Network" Is About Forcing Passengers to Watch Ads They Don't Want to See... And It Is Happening Already*, LIVE AND LET'S FLY (Jun. 8, 2024), <https://liveandletsfly.com/united-airlines-media-network/>.

⁴ Brett Snyder, *supra* note 3.

⁵ Diane Bartz & David Shepardson, *American and JetBlue airlines must end alliance, US judge rules*, REUTERS (May 19, 2023), <https://www.reuters.com/legal/us-justice-dept-wins-antitrust-fight-against-american-jetblue-alliance-2023-05-19/>.

⁶ U.S. Department of Justice, *Justice Department Statements on JetBlue Terminating Acquisition of Spirit Airlines*, March 4, 2024, <https://www.justice.gov/archives/opa/pr/justice-department-statements-jetblue-terminating-acquisition-spirit-airlines> (last visited Jun. 26, 2025).

⁷ *United States v. Am. Airlines Grp. Inc.*, 675 F. Supp. 3d 65 (D. Mass. 2023), *aff'd*, 121 F.4th 209 (1st Cir. 2024).

⁸ *Id.* at 85.

⁹ *Id.* at 89.

¹⁰ Brett Snyder, *supra* note 3; *United States v. Am. Airlines Grp. Inc.*, 675 F. Supp. 3d 65, 94 (D. Mass. 2023), *aff'd*, 121 F.4th 209 (1st Cir. 2024).

¹¹ *United States v. Am. Airlines Grp. Inc.*, 675 F. Supp. 3d 65, 74 (D. Mass. 2023), *aff'd*, 121 F.4th 209 (1st Cir. 2024).

¹² See Edward Russell, *JetBlue and United deal lets fliers use miles with either airline*, WASH. POST (May 29, 2025), <https://www.washingtonpost.com/travel/2025/05/29/jetblue-united-points-deal/> (quoting TD Cowen Airline Analyst Tom Fitzgerald); Airlines Confidential (Jun. 3, 2025), <https://airlinesconfidential.com/6-4-25/>; Ben Schlappig, *JetBlue & United Plan Partnership, But The End Game Is JFK Slots, Merger*, ONE MILE AT A TIME (May 29, 2025), <https://onemileatathetime.com/news/jetblue-united-partnership/>; The Air Show (Jun. 11, 2025), <https://podcasts.apple.com/us/podcast/the-jetblue-united-partnership-says-a-lot/id1735858856>.

control of the vast majority of the market.”¹³ Reduced airline competition has a significant negative impact on the flying public.¹⁴ For example, in fortress hubs like Newark, dominated by a single airline, travelers face fewer and more expensive options.¹⁵ Deceptive nickel-and-dime fees for everything from seat assignments to bags have spread to every major airline in part because industry consolidation leaves customers with no alternatives.¹⁶ And common passenger complaints about airlines span a variety of deficiencies that have become normalized by a consolidated and complacent industry—from shrinking average seat sizes and reduced leg room to lost and damaged luggage to unsatisfactory treatment when unexpected delays and cancellations disrupt travel and more.¹⁷

Although you have denied any plans to merge and explained that United and JetBlue will not code share flights or share revenue as part of Blue Sky, I remain ready to strongly oppose any collaboration that would result in higher costs, fewer options, and worse service for the traveling public. To help me understand the current and future nature of your partnership, please provide me with a written response by no later than August 1, 2025, that includes: (1) any contract or agreement between United and JetBlue executed as part of the Blue Sky partnership; (2) a detailed explanation of all specific changes to consumers’ experience in booking a trip or travelling with United or JetBlue; and (3) a detailed description of all future phases of the pact, including those still under consideration.

Thank you for your attention to this important matter.

Sincerely,



Richard Blumenthal
United States Senator

¹³ *United States v. Am. Airlines Grp. Inc.*, 675 F. Supp. 3d 65, 122 (D. Mass. 2023), *aff’d*, 121 F.4th 209 (1st Cir. 2024).

¹⁴ See generally William J. McGee & Ganesh Sitaraman, *How to Fix Flying: A New Approach to Regulating the Airline Industry*, AM. ECON. LIBERTIES PROJECT (Jan. 2024), <https://www.economicliberties.us/wp-content/uploads/2024/01/20240124-AELP-airlines-v5.pdf>.

¹⁵ *Id.* at 5-9.

¹⁶ See U.S. Senate Permanent Subcomm. on Investigations Majority Report, *The Sky’s the Limit The Rise of Junk Fees in American Travel* (Nov. 26, 2024), https://www.govinfo.gov/content/pkg/GOVPUB-Y4_G74_9-PURL-gpo236028/pdf/GOVPUB-Y4_G74_9-PURL-gpo236028.pdf.

¹⁷ See U.S. DEP’T OF TRANSP., *Air Travel Consumer Reps.*, <https://www.transportation.gov/individuals/aviation-consumer-protection/air-travel-consumer-reports> (last visited Jun. 25, 2025); Bina Venkataraman, *Flying is a nightmare. But it could be fixed.*, WASH. POST (Feb. 8, 2024), <https://www.washingtonpost.com/opinions/2024/02/08/airlines-flying-misery-solution/>.