

Alberto G. Rossi

*Grounding Future Consolidations: United–US Airways Cancel Flight*

54 Admin. Law Rev. 883 (2002)

Abstract by Dipal Shah

In his article, Alberto Rossi examines the Department of Justice (DOJ) response to the proposed merger of United Airlines and US Airways between July 2000 and July 2001. Rossi argues that the DOJ, under the auspices of the Clayton Act, appropriately regulated and challenged the proposed merger. Rossi asserts that the merger would certainly have represented an evasion of federal antitrust laws, led to increased prices in air fare, and a reduced quality of service for passengers. Rossi contends that this case exemplifies the importance of the DOJ in supporting and advocating for consumer choice.

Rossi predicts, based on DOJ arguments and policy stance, future mergers between airlines are likely to fail. Rossi concludes by asserting were such a consolidation to take place, it could eventually lead to decreased choice in airline carriers and increased price. Overall, Rossi suggests the DOJ maintain an offensive stance against such proposed mergers, in order to avoid industry-wide consolidation.