

United States Senate

WASHINGTON, DC 20510

November 23, 2011

The Honorable Ray LaHood
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

Dear Secretary LaHood,

We write in regards to the efforts of the Department of Transportation (DOT) to improve the experience of all consumers when purchasing airline tickets. We support the DOT's efforts to eliminate confusing, hidden fees that often increase the cost of air travel, and promote a system that is transparent and facilitates total price comparisons. We also support your efforts to make sure that airlines provide greater accommodations for individuals with disabilities in air travel by requiring them to develop websites that are accessible to individuals with disabilities. You have made significant strides in these areas as evidenced by your recent supplemental notice of proposed rulemaking and changes that went into effect this past August which mandate airlines disclose all fees for optional services through a prominent link on their websites. We hope you will continue working to make certain that shopping for a flight online is as easy as shopping for consumer products.

We believe that the upcoming rulemaking on airline fee disclosure provides you with a further opportunity to pursue this goal. As you know, earlier this year the DOT decided to defer its rulemaking for addressing the transparency of fees for optional services because more time was needed to collect information. In our view, if airlines are going to impose such fees, they should make every effort to make the fees transparent and available at the time of purchase whether online or from a travel agent; make every effort to ensure that the fee information is current; and support meaningful comparison shopping at all points of sale.

First, airline fees must be transparent. If consumers are expected to pay fees for services that have historically been included in the base fare, then at the very least, they should be informed of all of the fees and their cost before they purchase the ticket. This would allow the flying public to know the "all-in" price for a flight, including baggage, seating, boarding, as well as taxes and any other fees before they make their purchase.

Second, passengers should be able to pay for services that have historically been included in the base fare regardless of when and where they book their ticket. Passengers often book tickets weeks or even months in advance. Sometimes these passengers are surprised to find that by the time they actually fly, the fees for core services have increased. If consumers have the ability to pay for these services at the point of purchase, this no longer becomes an issue.

Third, airlines must make every effort to keep information on fees up to date. The DOT's April order requires airlines to update a list of services at least every 90 days. Unfortunately, because fees can change more frequently, such a requirement could leave passengers ill-informed about how to compare different flights. Consumers need real-time information about airline fees in order to make informed choices at the time of purchase. As we understand it, such up-to-the-minute updates are technologically feasible and achievable.

Finally, meaningful comparison shopping has become a necessity for most consumers and is central to encouraging and maintaining healthy, meaningful competition. In determining the actual, final price of a ticket, airlines' ancillary fees can have a major impact on the overall cost of air travel. While a base fare comparison or ranking among airlines may provide one perspective for a consumer, different fees on services such as baggage can readily lead to completely different positions for the carriers when determining the total cost of a flight for each customer. Without disclosure of all costs, consumers may think they are getting the best price when in reality they are not.

We thank you for your work and look forward to a rule that will ensure consumers finally have the ability to fairly compare airline ticket prices.

Sincerely,



Robert Menendez
United States Senator



Charles E. Schumer
United States Senator



Benjamin L. Cardin
United States Senator



Frank R. Lautenberg
United States Senator



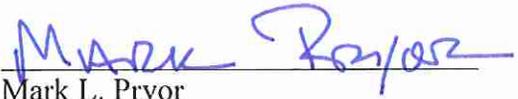
Maria Cantwell
United States Senator



Barbara Boxer
United States Senator



Ron Wyden
United States Senator



Mark L. Pryor
United States Senator



Mary L. Landrieu
United States Senator



Max Baucus
United States Senator