

February 18, 2016

Committee on Commerce, Science and Transportation
United States Senate
Washington, DC 20510

Dear Member,

U.S. Representative Curbelo (R-Fla.) introduced an amendment to H.R. 4441, the Aviation Innovation, Reform, and Reauthorization Act of 2016 that seeks to revive the Orwellian-named Transparent Airfares Act of 2014. The House Transportation and Infrastructure Committee accepted that amendment last week.

As organizations committed to protecting consumers' rights in the marketplace, we write to you regarding that amendment and urge you to oppose any effort to replicate it in the Senate. This amendment is blatantly anti-consumer and serves no purpose, in our view, other than to mislead consumers about the real price of air travel. The amendment would essentially reverse the 2011 Department of Transportation (DOT) Full Fare Advertising Rule, a consumer protection that mandates airlines to advertise tickets at the price that the consumer will pay. (See attached graphic comparative at <http://btcnews.co/1R8UBAz>.)

If adopted, the amendment would result in the classic "bait and switch" for consumers who believe they are purchasing a ticket at one price, only to find out at the last moment that the price is much higher. The airlines have claimed that current advertising regulations hide government fees and taxes from consumers. However, under the current DOT Full-Fare Advertising Rule, airlines can already disclose what portion of the ticket price goes to government taxes and fees. The amendment would allow the airlines to conceal their own extra fees and charges until the last moment before consumers purchase their ticket. This would be especially problematic on the Internet, where it might require extra clicks to obtain full price information.

The airlines also claim that consumers are clamoring for these revisions to the current advertising model. That seems unlikely, since we know of no consumer groups who are advocating for this proposal. The airlines also claim that no other products are advertised on a full price basis. Actually, federal excise taxes are commonly included in advertised prices for gasoline, tobacco and alcohol.

If consumers cannot easily find the full-fare price of a ticket, then they cannot shop for the best deal. This amendment would undo years of hard work by advocates to ensure that consumers are not duped when purchasing airfare. Transparency cannot be achieved through confusion. We urge you to oppose this anti-consumer proposal as you did in 2014.

Sincerely,

AirlinePassengers.org
American Society of Travel Agents
Business Travel Coalition
Consumer Federation of America
Ed Perkins, Consumer Advocate
National Consumers League
Travelers United
U.S. PIRG