

United States Senate
WASHINGTON, DC 20510

March 4, 2020

The Honorable Elaine L. Chao
Office of the Secretary
U.S. Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

Dear Secretary Chao:

We write to urge the U.S. Department of Transportation (DOT) to require all airlines suspend their ticket change and cancellation fees in light of the spreading coronavirus. The flying public is increasingly nervous about using existing or buying new airline tickets because of the uncertainty around where the disease will break out next. Although some domestic airlines have temporarily waived select fees because of the coronavirus,¹ these voluntary commitments are simply insufficient. The inconsistency between each company's policies will leave many individuals with no choice but to either fly and accept the risk or pay excessive fees. To ensure that all travelers are protected, we request that the DOT take necessary action and immediately require the suspension of all airline ticket cancellation and change fees during this public health emergency.

The coronavirus has created much anxiety around airline travel and has already lead many companies as well as individuals to change their travel plans.² However, these fliers often face change or cancellation fees to the tune of \$200 for domestic flights and \$500 for international flights.³ While some domestic airlines have waived selected fees temporarily during the current outbreak, each airlines' policies differ on whether both new and existing tickets are protected, how long fees are waived for, and what destinations are covered.⁴ In such an uncertain time, the DOT must step in to provide real peace of mind to all travelers.

The DOT is uniquely empowered to act upon claims of anti-consumer conduct in the transportation industry, and should not rely on voluntary business commitments that provide only patchwork relief. Your Department has the authority to "order the air carrier . . . to stop" "an unfair or deceptive practice or an unfair method of competition in air transportation or the sale of air transportation" after a hearing if it is in the "public interest."⁵ Public interest includes "the availability of a variety of adequate, economic, efficient, and low-priced services without

¹ Luz Lazo, *As concerns over coronavirus rise, airlines, Amtrak waive fees for travel changes; transit systems step up cleaning*, WASHINGTON POST (Mar. 3, 2020), <https://www.washingtonpost.com/nation/2020/03/02/us-airlines-amtrak-waive-fees-travel-changes-concerns-rise-over-coronavirus/>.

² Abha Bhattarai, *Companies are canceling U.S. domestic travel over coronavirus fears*, WASHINGTON POST (Feb. 28, 2020), <https://www.washingtonpost.com/business/2020/02/28/coronavirus-cancel-travel/>.

³ Yowana Wamala, *How Much Does It Cost to Change or Cancel a Flight?*, VALUEPENGUIN (Dec. 9, 2019), <https://www.valuepenguin.com/travel/how-much-does-it-cost-to-change-cancel-flight>.

⁴ Lazo, *supra*.

⁵ 49 U.S.C. § 41712 (a).

unreasonable discrimination or unfair or deceptive practices.”⁶ Allowing any airline to charge exorbitant fees for ticket changes or cancellations during the coronavirus outbreak is beyond “unfair.” That’s why the DOT must act without delay.

Travelers should not be exposed to a financial penalty for trying to protect themselves or their families. We therefore request that DOT require all airlines to waive their change and cancellation fees for the duration of this public health emergency.

Thank you for your attention to this important matter.

Sincerely,



Edward J. Markey
United States Senator



Elizabeth Warren
United States Senator

⁶ 49 U.S.C. § 40101(a)(4).