

# Union Calendar No. 414

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4156

[Report No. 113-554]

To amend title 49, United States Code, to allow advertisements and solicitations for passenger air transportation to state the base airfare of the transportation, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2014

Mr. SHUSTER (for himself, Mr. DEFAZIO, Mr. GRAVES of Georgia, Mr. RAHALL, Mr. LOBIONDO, and Mr. LARSEN of Washington) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

JULY 24, 2014

Additional sponsors: Mr. FARENTHOLD, Mr. RODNEY DAVIS of Illinois, Mr. WILLIAMS, Mr. YOUNG of Alaska, Mr. SIRES, Mr. MEEHAN, Mr. SOUTHERLAND, Mr. RIBBLE, Mr. LIPINSKI, Mrs. CAPITO, Ms. NORTON, Mr. ENYART, Mr. RENACCI, Mr. JONES, Mr. LARSON of Connecticut, Ms. TITUS, Mr. PETERSON, Mr. VEASEY, Mrs. BUSTOS, Mr. WESTMORELAND, Mr. RICE of South Carolina, Mr. SANFORD, Mr. BARLETTA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BRADY of Pennsylvania, Mr. CARSON of Indiana, Mr. GARCIA, Mr. HASTINGS of Florida, Mr. SCHRAEDER, Ms. WILSON of Florida, Mr. TERRY, Ms. FRANKEL of Florida, Mrs. WAGNER, Mr. BENTIVOLIO, Mr. GOHMERT, Mr. SAM JOHNSON of Texas, Mr. OLSON, Mr. MULLIN, Mrs. BACHMANN, Mr. MCCAUL, Mr. POE of Texas, Mr. CULBERSON, Mr. HENSARLING, Mr. HALL, and Mr. GIBBS

JULY 24, 2014

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

# **A BILL**

To amend title 49, United States Code, to allow advertisements and solicitations for passenger air transportation to state the base airfare of the transportation, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Transparent Airfares  
5 Act of 2014”.

6 **SEC. 2. ADVERTISEMENTS AND SOLICITATIONS FOR PAS-**  
7 **SENGER AIR TRANSPORTATION.**

8       (a) **FULL FARE ADVERTISING.**—Section 41712 of  
9 title 49, United States Code, is amended by adding at the  
10 end the following:

11       “(d) **FULL FARE ADVERTISING.**—

12               “(1) **IN GENERAL.**—It shall not be an unfair or  
13 deceptive practice under subsection (a) for a covered  
14 entity to state in an advertisement or solicitation for  
15 passenger air transportation the base airfare for the  
16 air transportation if the covered entity clearly and  
17 separately discloses—

18                       “(A) the government-imposed taxes and  
19 fees associated with the air transportation; and

20                       “(B) the total cost of the air transpor-  
21 tation.

22       “(2) **FORM OF DISCLOSURE.**—

23                       “(A) **IN GENERAL.**—For purposes of para-  
24 graph (1), the information described in para-  
25 graphs (1)(A) and (1)(B) shall be disclosed in

1 the advertisement or solicitation in a manner  
2 that clearly presents the information to the con-  
3 sumer.

4 “(B) INTERNET ADVERTISEMENTS AND  
5 SOLICITATIONS.—For purposes of paragraph  
6 (1), with respect to an advertisement or solicita-  
7 tion for passenger air transportation that ap-  
8 pears on an Internet Web site, the information  
9 described in paragraphs (1)(A) and (1)(B) may  
10 be disclosed through a link or pop-up, as such  
11 terms may be defined by the Secretary, that  
12 displays the information in a manner that is  
13 easily accessible and viewable by the consumer.

14 “(3) DEFINITIONS.—In this subsection, the fol-  
15 lowing definitions apply:

16 “(A) BASE AIRFARE.—The term ‘base air-  
17 fare’ means the cost of passenger air transpor-  
18 tation, excluding government-imposed taxes and  
19 fees.

20 “(B) COVERED ENTITY.—The term ‘cov-  
21 ered entity’ means an air carrier, including an  
22 indirect air carrier, foreign carrier, ticket agent,  
23 or other person offering to sell tickets for pas-  
24 senger air transportation or a tour or tour com-

1           ponent that must be purchased with air trans-  
2           portation.”.

3           (b) LIMITATION ON STATUTORY CONSTRUCTION.—

4 Nothing in the amendment made by subsection (a) may  
5 be construed to affect any obligation of a person that sells  
6 air transportation to disclose the total cost of the air  
7 transportation, including government-imposed taxes and  
8 fees, prior to purchase of the air transportation.

9           (c) REGULATIONS.—Not later than 120 days after  
10 the date of enactment of this Act, the Secretary shall issue  
11 final regulations to carry out the amendment made by sub-  
12 section (a).

13           (d) EFFECTIVE DATE.—This Act, and the amend-  
14 ments made by this Act, shall take effect on the earlier  
15 of—

16           (1) the effective date of regulations issued  
17           under subsection (c); and

18           (2) the date that is 180 days after the date of  
19           enactment of this Act.

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