Airlines for America

March 28, 2014

The Honorable John S. Pistole
Administrator
Transportation Security Administration
601 South 12th Street
Arlington, VA 22202

RE: September 11th Security Fee Implementation

Dear Administrator Pistole:

On behalf of airline passengers and Airlines for America (A4A) and our members, we are writing to express our deep concern with the Transportation Security Administration (TSA) Office of Revenue's recent actions regarding the implementation of the Congressional modifications to the September 11th Security Fee (Passenger Fee).

Currently, the Passenger Fee is assessed on a per-enplanement basis of $2.50 with a maximum one-way trip fee of $5 or $10 per round-trip itinerary. The Bipartisan Budget Act of 2013 (PL 113-67) simplified the fee structure creating a flat $5.60 fee per one-way trip, effective July 1, 2014, regardless of the number of enplanements. By moving away from the per-enplanement application, Congress merely streamlined the administration of the fee without making sweeping changes to the current regulatory regime.

Despite the minor congressional modifications to the Passenger Fee, TSA is proposing radical changes to the regulatory regime. Specifically, the Office of Revenue has suggested eliminating the definition of round trip found in 49 CFR § 1510.3. More troubling still is TSA's scheme to overhaul the regulatory imposition of the Passenger Fee described in 49 CFR § 1510.5 and abandon 10 years of industry precedent.

TSA's proposed changes will result in passengers paying more than Congress intended and also require significant programmatic changes that will take at least 90 days to develop and test. This change will disproportionately hurt consumers from small and rural communities who must often use more one way trips to reach their final destination. Given the timing and the arbitrary nature of these proposed changes, A4A and the Travelers United (formerly the Consumer Travel Alliance) will use all resources at our disposal to ensure passengers are not being subject to unjust fees.

We are requesting that TSA issue final guidance that reflects the long-standing regulations and is consistent with the minor modification made to the Passenger Fee by the Bipartisan Budget Act of 2013. We welcome the opportunity to discuss our concerns.

Sincerely,

Nicholas E. Calio
President and CEO
Airlines for America

Charlie Leocha
Chairman and Founder
Travelers United