

AIRLINE CONSUMER INFORMATION AND CHOICE COMMISSION

CHARTER

I. Establishment

This charter establishes the National Commission to Ensure Consumer Information and Choice in the Airline Industry ("Airline Consumer Information and Choice Commission" or "Commission"), as directed by section 228 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR-21), Pub. L. 106-181 (April 5, 2000).

II. Objectives, Scope of Activities, and Description of Duties

A. The Commission shall study (1) whether the financial condition of travel agents is declining and, if so, the effect that this will have on consumers; and (2) whether there are impediments to information regarding the services and products offered by the airline industry and, if so, the effects of those impediments on travel agents, Internet-based distributors, and consumers. In conducting the study, the Commission shall pay special attention to the condition of small travel agents (i.e., those travel agencies with \$1,000,000 or less in annual revenues).

B. Based on the results of the study, the Commission shall make such recommendations as it considers necessary to improve the condition of travel agents, especially small travel agents, and to improve consumer access to travel information.

C. The Commission, through the Chairperson, shall have the following powers:

1. To set and hold such hearings and sit and act at such times as the Chairperson deems advisable.
2. To request staff, support and nonconfidential information from federal agencies and departments.

3. To appoint and set the pay of personnel for the Commission.
4. To establish such panels consisting of members of the Commission as the Chairperson determines appropriate to carry out the functions of the Commission. Such panels may hold hearings, request staff and support by federal agencies and departments, and secure nonconfidential information from federal agencies and departments, through the Chairperson of the Commission.

III. Commission Membership

- A. The Commission shall consist of nine members as follows:
 1. Three members appointed by the Secretary of Transportation, one member of which shall be a representative of the travel agent industry, one member shall be a representative of the airline industry, and one member shall be an individual who is not a representative of either the travel agent or airline industry.
 2. Two members appointed by the Speaker of the House of Representatives.
 3. One member appointed by the minority leader of the House of Representatives.
 4. Two members appointed by the majority leader of the Senate.
 5. One member appointed by the minority leader of the Senate.
- B. The member appointed by the Secretary who is not a representative of either the travel agent or airline industry shall serve as Chairperson of the Committee.
- C. Private sector members of the Commission shall not be subject to the conflict of interest restrictions of 18 U.S.C. §§ 202-09.
- D. A vacancy in the Commission shall not affect its powers and shall be filled in the manner in which the original appointment was made.

E. The terms of office for all members shall be for the life of the Commission.

IV. Duration

The Commission, through its Chairperson, shall submit its report, including recommendations to improve the condition of travel agents and consumer access to travel information, to the President of the United States and to the Congress within six months after completion of the initial appointments of members, and terminate on the 30th day after submitting the report, as provided in section 228 of AIR-21.

V. Official to Whom the Commission Reports

The Commission reports to the President of the United States and to the Congress.

VI. Agency Responsible for Providing Support for the Commission

A. The Department of Transportation is the official sponsor of the Commission. Upon the request of the Commission, or a panel of the Commission, the Secretary of Transportation, or his designee, shall provide the Commission or panel with professional and administrative staff and other support, on a reimbursable basis, to assist the Commission or panel in carrying out its responsibilities.

B. The Commission may secure directly from any department, agency, or instrumentality of the United States (including independent agencies) information (other than information required by any statute of the United States to be kept confidential by such department or agency) necessary for the Commission to carry out its duties. Upon request of the Commission, the head of that department or agency shall furnish such nonconfidential information to the Commission.

C. Upon the request of the Commission, the head of any department or agency of the United States may detail, on a reimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its duties.

VII. Estimated Annual Operating Costs

A. The operating costs for the Commission are \$995,000. The Commission's expenditures shall be consistent with generally accepted government accounting practices and shall be authorized by the Department of Transportation's custodial accountant.

B. Members shall serve without pay but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57 of title 5, United States Code.

C. The Commission may appoint and fix the pay of such personnel as it considers appropriate.

VIII. Meetings

The Commission (and any panels of the Commission) shall meet at such times as the Chairperson may direct. A quorum of the Commission shall be not less than five members and shall include the Chairperson.

IX. Applicability of the Federal Advisory Committee Act

This Commission is exempt from the Federal Advisory Committee Act (5 U.S.C. app.) pursuant to section 228 of AIR-21.