

# Congress of the United States

Washington, DC 20515

March 13, 2002

The Honorable Norman Y. Mineta  
Secretary  
U.S. Department of Transportation  
400 Seventh Street, S.W.  
Washington, DC 20590

The Honorable Kenneth Mead  
Inspector General  
U.S. Department of Transportation  
400 Seventh Street, S.W.  
Washington, DC 20590

Dear Mr. Secretary and Mr. Inspector General:

We are writing regarding a provision included in the FY 2002 Transportation Appropriations Act that directs the Department of Transportation and the Inspector General's office to investigate the major air carriers' Internet joint venture known as Orbitz. We are most interested in the timely completion and the results of your work.

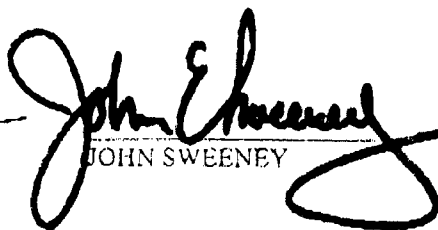
We are concerned with reports about Orbitz's impact in the marketplace for air transportation services. We expect that your investigation will address both the relevant antitrust and public policy concerns laid out in the Act, which are only getting more worrisome with the passage of time.

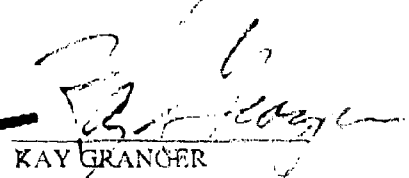
We are heartened to hear reports that the Department has recently issued information directives to many of the parties possessing relevant information about Orbitz and its marketplace impact. Consistent with the Act, we expect that you will compel all documents from and correspondence among Orbitz and its owners pertaining to the formation of this venture, including the reasons for adopting the controversial most favored nations clauses and exclusivity incentives as part of the Orbitz contract. We also call on you to examine the economics of Orbitz to determine whether it is in fact a profit making enterprise or a subsidized venture calculated to serve as a vehicle for the major airlines to jointly set distribution rates.

We urge you to pursue the document production and information gathering mindful of the fast approaching deadlines. Ultimately, if the evidence reveals that the concerns stated above have merit, we expect that you will act promptly to fashion an effective and timely remedy. We look forward to the results of your investigation.

Sincerely,

  
JO ANN EMERSON

  
JOHN SWEENEY

  
KAY GRANGER