

Mr. Bradley D. Tilden
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Mr. Doug Parker
Chairman and Chief Executive Officer
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Mr. Gary Kelly
Chairman of the Board and Chief Executive Officer
Southwest Airlines Company
2702 Love Field Drive
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Mr. Scott Kirby
Chief Executive Officer
United Airlines, Incorporated
P.O. Box 06649
Chicago, Illinois 60606-0649

Dear Mr. Tilden, Mr. Parker, Mr. Kelly and Mr. Kirby,

We represent consumers who love travel and are looking forward to returning to the skies confidently, comfortably and frequently as soon as possible.

During the past two years, three events have shaken their confidence and comfort in flying in extraordinary ways the likes of which none of us have ever seen.

Two were tragic incidents involving the Boeing the 737 MAX that claimed the lives of 346 people.

The third is one that all of us are still very much contending with in just about every aspect of our lives – the novel coronavirus pandemic. We appreciate the especially difficult impact COVID-19 has had on your companies and most of all, the employees who've lost their jobs as a result of the drastic decline in demand for travel.

We appreciate the new cabin cleaning programs, touchless check-in, passenger health policies, and innovative testing pilots your airlines have deployed, as well as the temporary social distancing initiatives that some of your companies introduced. We have long believed that

these should have been federal government requirements and are grateful to those of you who have spoken out on the need for federal leadership during this crisis in the same way it was shown following 9/11.

According to [media reports](#), certification of the Boeing 737 MAX [is progressing](#), and could be operating flights in some of your schedules as early as [next month](#) and the months that follow.

We are writing today to urge your companies to adopt traveler-friendly policies when the 737 MAX aircraft returns to the skies in your published schedules. We believe it is an approach that will not only be good for consumers, but good for the airline industry's recovery as it seeks to rebuild traveler confidence. As consumer and business travel advocates, we respectfully ask that you not force passengers and in some cases, their employers, to choose between losing money on airline tickets or flying in fear.

Specifically, we are asking each of you to agree to our five-point "**737 MAX 8/9 Passenger Protection Plan.**" The five protections include:

1. **Allowing passengers concerned about flying on a 737 MAX 8 and 9 to change to flights operated with other aircraft without any financial penalties** such as differences in fare between the ticket they already purchased, all the way up to departure time. This includes flights operated by your airline itself as well as those operated by your code-share partners.
2. **If no other aircraft is operated on a passenger's itinerary, offering consumers the option of either a full refund or the ability to apply the full value of the ticket to a ticket to a different destination served by aircraft other than a 737 MAX**, without incurring a change fee, administrative fee or other financial penalty.
3. **If a consumer is concerned about flying on a 737 MAX 8 or 9 to a degree that they'd rather not travel at all, provide them with a full refund on a timely basis.**
4. **Updating your "Contract of Carriage" to reflect these changes and make them binding.**
5. **Providing consumers and travel agents with easily viewable information on the type of aircraft that will be used to operate a flight *in advance*** so that consumers have full knowledge of whether a flight being considered is being operated with a 737 MAX 8 or 9, well ***before*** making a decision to purchase an airline ticket on a specific flight. When an aircraft substitution is made from a plane other than a 737 MAX to a 737 MAX, alert passengers as quickly as possible.

We appreciate the public comments some of you have made on these topics, but as you know, for them to work effectively with the tens of thousands of front-line employees that serve your customers, they need to be formalized into binding, written policies consumers can depend on – and employees can reference – before committing to purchasing a plane ticket.

For business travel, allowing passengers that are fearful of flying a 737 MAX 8 or 9 to rebook for free represents a smart, cost-neutral business decision for travel and procurement managers around the world as they grapple with a MAX 8 and 9 related 'duty-of-care' requirement of not knowingly placing employees in harm's way. These accommodations should facilitate travel policies that make booking a 737 MAX 8 and 9 a voluntary decision for travelers.

Many travelers now dread the thought of getting on a 737 MAX and understandably will go out of their way to book travel on another kind of aircraft. Having gone to the trouble of making their preferences known, these travelers should never face last-minute aircraft substitutions that would land them on a 737 MAX. We believe travelers with these concerns should have the right to switch to another aircraft when possible, paying no more than they did for the same type of ticket and class of service, or be given a full refund or credit if no alternative is available.

Both Boeing and the Federal Aviation Administration (FAA) have shaken the public's trust, and the burden should not be on consumers who are rightfully concerned about the safety of this aircraft. Passengers should have the right to opt out of flying on the 737 MAX, and there should be no financial penalty for doing so.

Thank you for your consideration of our concerns. We look forward to hearing from you.

Sincerely,

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