

COMMITTEES

ENERGY AND COMMERCE
SUBCOMMITTEE ON
TELECOMMUNICATIONS AND
THE INTERNET
CHAIRMAN

SELECT COMMITTEE ON
ENERGY INDEPENDENCE AND
GLOBAL WARMING
CHAIRMAN

HOMELAND SECURITY

NATURAL RESOURCES

EDWARD J. MARKEY
7TH DISTRICT, MASSACHUSETTS

Congress of the United States
House of Representatives
Washington, DC 20515-2107

2108 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-2107
(202) 225-2836

DISTRICT OFFICES:

5 HIGH STREET, SUITE 101
MEDFORD, MA 02155
(781) 396-2900

188 CONCORD STREET, SUITE 102
FRAMINGHAM, MA 01702
(508) 875-2900

<http://markey.house.gov>

November 8, 2007

The Honorable Deborah Platt Majoras
Chairman
Federal Trade Commission
600 Pennsylvania Ave., NW
Washington, DC 20580

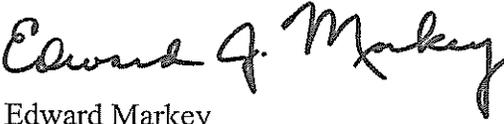
Dear Chairman Majoras:

I recently was contacted by one of my constituents, Ms. Maureen Webster, following the tragic death of her 22-year-old son, Nolan Webster, while he was vacationing in January 2007 at a resort in Cancun, Mexico. Ms. Webster has expressed concerns about the lack of safety and security information about travel destinations available at TripAdvisor.com and its branded Web sites. Prior to Nolan's trip to Cancun, Ms. Webster and her son used TripAdvisor.com to gather information about the Cancun resort where Nolan died on January 7, 2007. I would appreciate the Commission's responses to the questions that follow.

1. The terms and conditions that TripAdvisor.com has established for use of the site's chat rooms, bulletin boards and other interactive areas specify that "TripAdvisor reserves the right, and has absolute discretion, to remove, screen or edit without notice any Content posted or stored on the Site at any time and for any reason." While such wide-ranging, comprehensive language is not uncommon on Web sites that include chat rooms and other community features, TripAdvisor.com markets itself as a resource for the facts about various hotels and attractions. Specifically, TripAdvisor.com uses the trademarked tag line "Get the truth. Then go", and its site indicates that it features "real advice from real travelers." Following Nolan's death, Ms. Webster posted several messages at TripAdvisor.com to inform site visitors about her son's death at one of the resorts advertised and promoted on the site in an effort to warn visitors about the absence of lifeguards at the resort. (Attachment 1). This post subsequently was removed by TripAdvisor staff (Attachment 2). Does the Commission consider the TripAdvisor.com marketing terms cited above to be false or misleading considering TripAdvisor.com's removal of the safety information contained in Attachment 1? Does the Commission view the removal of this post to be inconsistent with the claim made by TripAdvisor.com that it provides "The good, the bad and the ugly: Real stories from real travelers"?
2. Is the Commission concerned that consumer Web sites such as TripAdvisor.com may be marketing themselves to site visitors as sources for comprehensive, objective, first-hand insights into trip destinations while selectively removing safety information that could inform consumers as they weigh their travel options? If yes, what does the Commission plan to do to address these concerns? If not, why not?

Thank you for your prompt attention to this matter. If you have questions about this request, please have a member of your staff contact Mark Bayer of my staff at 202-225-2836.

Sincerely,

A handwritten signature in black ink that reads "Edward J. Markey". The signature is written in a cursive style with a large, stylized "E" and "M".

Edward Markey