

United States Senate

WASHINGTON, DC 20510

November 2, 2017

The Honorable Maureen K. Ohlhausen
Acting Chairman
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

Dear Acting Chairman Ohlhausen:

In light of continued, troubling reports of U.S. citizens falling victim to unethical and even criminal activity while traveling in Mexico, including the tragic, alcohol-related death of Wisconsin resident Abbey Conner in January 2017, I am writing to express grave concerns and request that you investigate potentially unlawful business practices of certain entities that may hinder the ability of Americans to access accurate and unbiased information regarding the safety and quality of their foreign destinations, accommodations and activities.

I have previously written to the U.S. State Department to express my disappointment that it is not providing sufficient information regarding the health and safety of U.S. citizens in Mexico on its Country Specific Information page or on its Travel Warning page. This is especially concerning because these reports have made clear that local Mexican authorities and tourism-related businesses lack transparency, accountability, and adherence to the rule of law in relation to this issue.

Particularly in light of that lack of clear information from government sources, prospective travelers may rely even more on travel review websites, like TripAdvisor, for similar information as well as general recommendations regarding the value of travel-related expenses like resorts, hotels, and restaurants. TripAdvisor bills itself as “the world’s largest travel site” which “provides travelers with the wisdom of the crowds to help them decide where to stay, how to fly, what to do and where to eat.”¹ It is imperative that it and websites like it, which serve to crowdsource travelers’ reports of their personal experiences, do not censor reviews because their content might reflect negatively on a particular business or venue. In particular, limiting or removing reviews that detail unsafe conditions could put future travelers, who look to TripAdvisor for accurate information, at risk.

Troublingly, that type of censorship has been reported regarding traveler reviews that describe experiences similar to Abbey Conner’s during travel in Mexico. According to an investigative report by the Milwaukee Journal-Sentinel, numerous such reports have been taken down from the TripAdvisor website because they were “determined to be inappropriate,” “off-topic” or included language not deemed “family-friendly.”² For example, according to the Journal-Sentinel report, the

¹About TripAdvisor, tripadvisor.mediaroom.com/us-about-us

²Raquel Rutledge and Andrew Mollica, *TripAdvisor Removed Warnings About Rapes and Injuries at Mexico Resorts, Tourists Say*, Journal Sentinel (November 1, 2017), <http://www.jsonline.com/story/news/investigations/2017/11/01/tripadvisor-removed-warnings-rapes-and-injuries-mexico-resorts-tourists-say/817172001/>.

review of another Wisconsin woman, Jamie Valeri, recounting her sexual assault at a Mexican resort after being rendered unconscious from consuming a limited amount of possibly-tainted alcohol was taken down by TripAdvisor as “hearsay,” and her repeated attempts to restore the posting were unsuccessful.

These allegations of censorship by the company are even more concerning because a significant source of its revenue is derived from click-based advertising and transactions for hotels booked through its website.³ As a result, the company has a financial interest in the “wisdom of the crowds” translating into bookings through its website – and thus a potential incentive to maximize positive reviews and minimize accounts of problematic experiences. Simply put, I am concerned that TripAdvisor may be prioritizing profits over providing an open, honest forum for traveler reviews that its users expect.

In light of these serious allegations, I urge the Federal Trade Commission to investigate whether TripAdvisor’s practices run afoul of federal consumer protection laws, including the prohibitions on deceptive or unfair business practices and false advertising under the Federal Trade Commission Act. I also urge the Commission to build on the June 2013 letter advising search engines and the potential for consumer deception and provide similar guidance to websites that aggregate consumer reviews of products and services.

Thank you for your attention to this matter and consideration of my requests.

Sincerely,



Tammy Baldwin
United States Senator

³ TripAdvisor, 10-Q Quarterly Report, Securities and Exchange Commission, August 8, 2017