



Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Sam Graves
Chairman

Jack Ruddy, Staff Director

Rick Larsen
Ranking Member

Katherine W. Dedrick, Democratic Staff Director

December 12, 2023

Mr. Nicholas Calio
President and CEO
Airlines for America
1275 Pennsylvania Ave. N.W.
Suite 1300
Washington, D.C. 20004

Dear Mr. Calio:

The recent video appearing to show airline employees blatantly mishandling a passenger's wheelchair at the Miami International Airport (MIA)¹ is appalling and unacceptable. This is yet another in a troubling series of mishandled or damaged wheelchair incidents by commercial airlines, raising serious concerns about the systemic barriers to air travel passengers with disabilities face every day and your member airlines' ability to effectively serve *all* consumers.² The traveling public deserves better. We urge you to reassess the airline industry's efforts to improve accessibility in air travel for passengers with disabilities and strengthen the airline industry's practices to prevent these incidents from occurring in the future.

The U.S. Census Bureau estimates that 42.6 million Americans (nearly 13 percent of all Americans) have a disability, which may include issues with physical mobility, hearing, vision, or cognition.³ The unique challenges these passengers face in air travel are not new. In fact, over the last two years, representatives from Airlines for America (A4A) participated in two Committee hearings focused on addressing the ongoing barriers for this community.⁴ During these hearings, we received testimony from community advocates and stakeholders about frequently lost, damaged, or otherwise mishandled mobility aids, and the extreme lengths some

¹ Andrea Sachs, *Buttigieg promises to investigate wheelchair incident from Viral Video*, The Washington Post, Nov. 22, 2023, available at: <https://www.washingtonpost.com/travel/2023/11/22/wheelchair-mishandled-miami-airport-tiktok/>.

² Megan Cerullo, *Wheelchair users face frustrations in the air: "I've had so many terrible experiences"*, CBS News, Nov. 24, 2023, available at: <https://www.cbsnews.com/news/airlines-mishandling-wheelchairs/>.

³ Gov't Accountability Office, GAO-21-354, *Passengers with Disabilities: Airport Accessibility Barriers and Practices and DOT's Oversight of Airlines' Disability-Related Training* (Apr. 14, 2021).

⁴ *FAA Reauthorization: Navigating the Comprehensive Passenger Experience*, Hearing Before the Subcomm. on Aviation of the H. Comm. On Transp. and Infrastructure, 118th Cong. (Mar. 23, 2023); *See also, Accessible Air Travel: Addressing Challenges for Passengers with Disabilities*, Hearing Before the Subcomm. on Aviation of the H. Comm. On Transp. and Infrastructure, 117th Cong. (Nov. 14, 2022).

passengers take to avoid air travel altogether as a result.⁵ Yet the trend of mishandled wheelchairs and scooters continues. According to the Department of Transportation's (DOT) latest Air Travel Consumer Report, 1,035 wheelchairs and scooters were reportedly mishandled by commercial airlines in September 2023 – an estimated 13 percent increase from September 2022.⁶ This is inexcusable.

When wheelchairs and other assistive devices are damaged or lost, it does not just limit a passengers' mobility; it hinders their independence and can have severe effects on their health. This was never more evident than when disability advocate Engracia Figueroa died after her wheelchair was destroyed during a flight in 2021 and her replacement chair provided by the airline was unable to properly support her.⁷ This tragedy exemplifies what is at stake if we fail to make drastic changes to the status quo.

In October 2022, A4A announced a renewed pledge “to improve safe, accessible air travel to all passengers with disabilities including those with mobility, cognitive and social disabilities.”⁸ Under the commitment, your member airlines agreed to: (1) establish a passenger accessibility advisory group; (2) improve passenger transfers and the handling of personal mobility aids; (3) enhance accessibility services training for frontline employees; and (4) support the continuing study and development of safe and feasible aircraft accessibility features.⁹ Furthermore, the DOT recently announced an agreement with a major U.S. airline on a series of measures to improve aviation accessibility following its investigation into the death of Ms. Figueroa.¹⁰ While our Committee welcomes these actions, the recent incident at MIA makes clear that more must be done to ensure the safe and dignified travel for passengers with disabilities, from the curb to the gate and on to their final destinations. Accordingly, we request a briefing detailing the latest actions A4A and its member airlines have taken under the October 2022 pledge and the DOT's agreement, how the latest incidents of mishandled and damaged mobility aids have impacted such efforts and how your members plan to prevent these incidents from occurring again.

Over the last year, our Committee engaged in a thorough process to draft a bipartisan Federal Aviation Administration (FAA) reauthorization – including a hearing focused on improving the passenger experience¹¹ – which culminated in a robust title within the *Securing Growth and Robust Leadership in American Aviation Act (SGRLAA Act)* to expand consumer

⁵ *Id.*

⁶ U.S. Department of Transportation (DOT), *Air Travel Consumer Report: September 2023 Numbers and 3rd Quarter Numbers*, Dec. 2023, available at: <https://www.transportation.gov/briefing-room/air-travel-consumer-report-september-2023-numbers-and-3rd-quarter-numbers#:~:text=The%20597%2C223%20flights%20operated%20in,flights%20operated%20in%20August%202023.>

⁷ Emily Alpert Reyes, *An airline broke an activist's wheelchair. her death months later amplified calls for change*, Jan. 2022, Los Angeles Times, available at: [https://www.latimes.com/california/story/2022-01-06/la-activist-broken-wheelchair-airlines-death.](https://www.latimes.com/california/story/2022-01-06/la-activist-broken-wheelchair-airlines-death)

⁸ Airlines for America, *U.S. airlines strengthen commitment to passenger accessibility*, Oct. 2022, available at: [https://www.airlines.org/news/u-s-airlines-strengthen-commitment-to-passenger-accessibility/.](https://www.airlines.org/news/u-s-airlines-strengthen-commitment-to-passenger-accessibility/)

⁹ *Id.*

¹⁰ DOT, *U.S. Department of Transportation Announces that United Airlines Will Implement Industry-Leading Improvements for Passengers Using Wheelchairs*, Sept. 28, 2023, available at: [https://www.transportation.gov/briefing-room/us-department-transportation-announces-united-airlines-will-implement-industry.](https://www.transportation.gov/briefing-room/us-department-transportation-announces-united-airlines-will-implement-industry)

¹¹ *See supra* at 4.

protections. Of these critical provisions, the bill ensures air travel as an accessible mode of transportation for passengers with disabilities by:

- Codifying the Airline Passengers with Disabilities Bill of Rights and extending the DOT's Air Carrier Access Act Advisory Committee;¹²
- Directing the DOT to develop minimum training standards for airline personnel and contractors on (1) assisting passengers with disabilities using wheelchairs with boarding or deplaning a commercial flight and (2) stowing scooters and wheelchairs used by passengers with disabilities;¹³
- Requiring air carriers to make publicly available the relevant dimensions and other characteristics of aircraft cargo holds to help passengers determine whether their wheelchair and mobility aids can be accommodated, and for airlines to provide a refund for passengers whose assistive devices cannot be physically accommodated;¹⁴
- Directing the DOT to create a strategic plan for airlines to reduce damage to wheelchairs and mobility aids and better accommodate passengers in wheelchairs onboard aircraft;¹⁵ and
- Requiring the DOT to investigate complaints of discrimination against individuals with disabilities within 120 days of receiving such complaints, and to submit an annual report to Congress with more detailed information on disability-related complaints and recommendations to address safety challenges for these passengers- among other key reforms.¹⁶

Although the House overwhelmingly supported and passed this bipartisan legislation in July 2023,¹⁷ progress on these and other necessary improvements to our U.S. aviation system remain stalled for now. However, the current legislative impasse does not prevent the airline industry from beginning to implement or build upon these measures now and doing everything in its power to treat its consumers with respect and dignity. As demand continues to rebound, air travel must be safe and accessible for all passengers.

Congress enshrined in the *Air Carrier Access Act (ACAA)* and the *Americans with Disabilities Act (ADA)* the federal protections to prevent discrimination against people with disabilities in air travel and all other areas of public life, respectively.¹⁸ We urge you to take decisive action to ensure accessibility for passengers with disabilities and look forward to working with you and your member airlines on this shared commitment.

¹² Sections 703 and 707 of the *Securing Growth and Robust Leadership in American Aviation Act*, 118th Cong.

¹³ Sections 721 and 722 of the *SGRLAA Act*, 118th Cong.

¹⁴ Section 712 of the *SGRLAA Act*, 118th Cong.

¹⁵ *Id.*

¹⁶ Section 713 and 723 of the *SGRLAA Act*, 118th Cong.

¹⁷ Clerk, United States House of Representatives, Roll Call 364, 118th Cong., 1st Sess. (July 20, 2023), *available at*: <https://clerk.house.gov/Votes/2023364>.

¹⁸ 49 USC § 41705; *see also* 42 USC § 12101, *et seq.*

Should any questions arise, please contact [REDACTED] Democratic Professional Staff, Subcommittee on Aviation at [REDACTED]

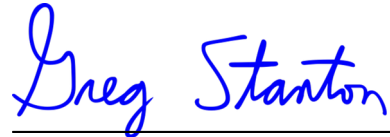
Sincerely,



Rick Larsen
Ranking Member
Committee on Transportation
and Infrastructure



Steve Cohen
Ranking Member
Subcommittee on Aviation



Greg Stanton
Vice Ranking Member
Committee on Transportation
and Infrastructure



Eleanor Holmes Norton
Member of Congress



Grace F. Napolitano
Member of Congress



John Garamendi
Member of Congress



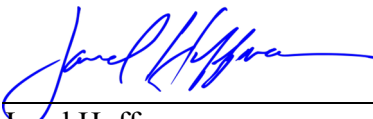
Henry C. "Hank" Johnson, Jr.
Member of Congress



André Carson
Member of Congress



Dina Titus
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Jared Huffman
Member of Congress



Julia Brownley
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Frederica S. Wilson
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Donald M. Payne, Jr.
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Mark DeSaulnier
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Salud Carbajal
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Colin Z. Allred
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Sharice L. Davids
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Jesús G. "Chuy" García
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Seth Moulton
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Marilyn Strickland
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Troy A. Carter, Sr.
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Patrick K. Ryan
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Mary Sattler Peltola
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Robert J. Menendez
Member of Congress

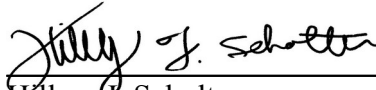


Val Hoyle
Member of Congress

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Member of Congress



Hillary J. Scholten
Member of Congress



Valerie P. Foushee
Member of Congress

CC:

The Honorable Secretary Pete M. Buttigieg, U.S. Department of Transportation

Mr. Robert Isom, Chief Executive Officer, American Airlines