

United States Senate

WASHINGTON, DC 20510

July 2, 2018

Mr. Daniel K. Elwell
Acting Administrator
Federal Aviation Administration
800 Independence Avenue, S.W.
Washington, D.C. 20591

Dear Administrator Elwell:

In recent years, a number of reports have revealed an unsettling situation in our skies: airlines may be inhibiting parents from putting their children in aviation-approved car seats on planes or providing inconsistent, possibly unsafe direction on the use of car seats on planes. As we enter into the summer travel season, we write to confirm that you are aware of this ongoing issue and to request answers on what you are doing to ensure airlines comply with your agency's guidance on child restraint systems on aircraft.

Flying can be dangerous for children. On many occasions, volatile flying conditions have prevented parents from holding onto their child. Unexpected turbulence, rough takeoffs, and unstable landings can cause a parent to lose hold of their child – leading to the child being catapulted through an aircraft cabin – and potentially causing injury or death. A December 2012 report from *Forbes* describes how a six-month old baby died from multiple trauma when he was ejected from his mother's arms during a runway overrun crash. Accordingly, federal law requires that no airline “prohibit a child, if requested by the child's parent...from occupying a child restraint system furnished by the child's parent...provided the child holds a ticket for an approved seat.”¹ On paper and on their websites, airlines claim that their official policy favors compliance with the law, but this does not seem to be reflected in practice.

Your agency has a duty to ensure that airlines are carrying out proper practices. According to reports:

- In June 2018, United Airlines allegedly told a mother to sit her child face-forward in a car seat even though the car seat's instructions clearly stated the seat should be used in a safer, rear-facing position.²

¹ Electronic Code of Federal Regulations. “§ 121.311 Seats, safety belts, and shoulder harnesses.” *eCFR*, https://www.ecfr.gov/cgi-bin/text-idx?mc=true&node=se14.3.121_1311&rgn=div8

² Deabler, A. (2018, June 14). United Airlines apologizes after flight attendant forced infant to sit in 'a dangerous position'. Retrieved from <http://www.foxnews.com/travel/2018/06/14/united-airlines-apologizes-after-flight-attendant-forced-infant-to-sit-in-dangerous-position.html>

- In November 2017, American Airlines allegedly prevented a mother from flying with her 18-month-old daughter in a car seat, even though she purchased a separate ticket for the child where the mother would place the car seat.³
- In July 2017, United Airlines allegedly prevented a mother from flying with her 27-month-old son in a car seat after the airline reportedly oversold the child's seat assignment. The mother was forced to fly with her toddler in her lap – causing pain and discomfort for several hours.⁴
- In April 2017, Delta Air Lines allegedly kicked an entire family off a flight for attempting to keep their two-year-old son in his car seat and protesting an airline representative's incorrect claims that federal rules require children to remain in a parent's lap throughout a flight.⁵
- In June 2015, American Airlines allegedly forced a mother to hold her one-year-old daughter on her lap during a flight even though she had paid for a separate ticket and brought an approved child seat on the plane for the child to use.⁶
- In June 2014, American Airlines allegedly forbade a mother from placing her son in a car seat during the takeoff portion of the flight, even though she had purchased a separate ticket for the child and brought an approved child seat on the plane for the child to use.⁷
- In July 2014, Delta Air Lines allegedly refused to allow a mother traveling with her 9-month old son to use an aircraft-approved infant car seat even though she had specifically purchased a separate ticket for the child and brought an approved child seat on the plane for the child to use.⁸

As strong supporters of consumers and airline workers, we want to ensure that these incidents and altercations never recur. It is imperative that airlines support parents who are

³ Woman claims American Airlines ignored safety rules, forced her child to fly on her lap. (2017, November 16). Retrieved from <http://www.foxnews.com/travel/2017/11/16/woman-claims-american-airlines-ignored-safety-rules-forced-her-child-to-fly-on-her-lap.html>

⁴ Paton, C. (2017, July 06). Mother of two-year-old forced from United Airlines seat feared violence. Retrieved from <http://www.newsweek.com/united-airlines-violence-mother-two-year-old-forced-seat-632548>

⁵ Jansen, B. (2017, May 05). These are the confusing rules that contributed to a family getting kicked off a Delta flight. Retrieved from <https://www.usatoday.com/story/news/2017/05/05/delta-dispute-confusion-child-travel/101322860/>

⁶ Goglia, J. (2015, July 10). FAA Investigates American Airlines - Again - For Alleged Kid Seat Violation. Retrieved from <https://www.forbes.com/sites/johngoglia/2015/07/09/faa-investigates-american-airlines-again-for-alleged-kid-seat-violation/#d0cb8564e056>

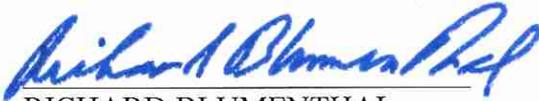
⁷ Goglia, J. (2014, July 16). FAA Investigates American Airline's Refusal To Allow Use Of Kid Seat On Flight. Forbes. Retrieved June 20, 2018, from <https://www.forbes.com/sites/johngoglia/2014/07/16/faa-investigates-american-airlines-refusal-to-allow-use-of-kid-seat-on-flight/#28560f8530d6>

⁸ Goglia, J. (2014, July 30). Does Delta Air Lines Finally Understand Kid Seat Safety Rule? Forbes. Retrieved June 20, 2018, from <https://www.forbes.com/sites/johngoglia/2014/07/30/does-delta-airlines-finally-understand-kid-seat-safety-rule/#43b223187529>

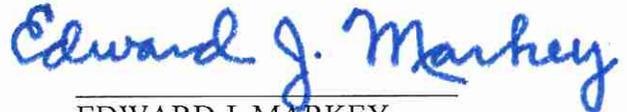
trying to do the right thing, follow best practices, and protect their children. Please outline what steps you are taking to address these disconcerting events and ensure that airlines keep employees informed about current law and best practices.

We appreciate your consideration of this matter and look forward to your response.

Sincerely,



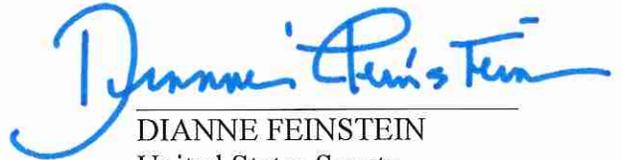
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