



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

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April 28, 2020

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

Dear Mr. Calio:

We write to encourage Airlines for America member airlines to provide the most liberal practicable accommodations of passengers who have had no choice but to cancel travel plans during the COVID-19 pandemic and to implement clear and consistent policies that protect the safety and health of workers and passengers who must still travel during these challenging times.

As you know, the COVID-19 pandemic has resulted in an unprecedented decline in domestic and international commercial air travel over the last several weeks. In fact, just yesterday, security checkpoints at our Nation's airports saw a stark 95 percent drop in traveler throughput compared to the same weekday one year ago.¹ As a result of this vast drop in demand, airlines have been forced to significantly pare down their offered services, reducing or temporarily suspending service at certain airports and cancelling tens of thousands of flights. Likewise, passengers have sought to voluntarily cancel their travel plans.

Given these extraordinary circumstances, the U.S. Department of Transportation (DOT) issued an enforcement notice earlier this month regarding airline refunds during the COVID-19 pandemic.² Following receipt of "an increasing number of complaints and inquiries from ticketed passengers," the DOT issued the enforcement notice to emphasize an airline's "longstanding obligation to provide a prompt refund to a ticketed passenger when the *carrier* cancels the passenger's flight or makes a significant change in the flight schedule."³ The DOT highlighted that this obligation of the airline does not cease even during disruptions outside of its control, such as

¹ Transp. Security Admin., *TSA Checkpoint Travel Numbers for 2020 and 2019*, <https://www.tsa.gov/coronavirus/passenger-throughput> (last visited Apr. 28, 2020).

² See DOT, *Enforcement Notice Regarding Refunds by Carriers Given the Unprecedented Impact of the COVID-19 Public Health Emergency on Air Travel* (Apr. 3, 2020), available at https://www.transportation.gov/sites/dot.gov/files/2020-04/Enforcement%20Notice%20Final%20April%203%202020_0.pdf.

³ *Id.* at 1 (emphasis added).

the health crisis we currently face.⁴ We were pleased to see the DOT remind airlines of their responsibilities for carrier-cancelled tickets.

We acknowledge the indisputable fact that a requirement for refunds of all tickets would effectively bankrupt the industry, putting hundreds of thousands of workers' jobs in jeopardy. But we believe carriers should adopt the most liberal policies practicable to accommodate passengers who have cancelled their travel plans. For example, because some analysts do not forecast the airline industry will recover for two to five years,⁵ we encourage airlines to consider extending all electronic travel credits or vouchers for such passengers beyond the next year or making such credits or vouchers transferable. Further, we do not believe change fees should be charged to those passengers. Finally, airlines should permit maximum flexibility for passengers to change their itineraries and their refund policies should take into account the needs of certain passenger demographics who may be particularly vulnerable to COVID-19, including senior citizens and travelers with disabilities.

While some frequent flyers may welcome a credit or voucher and can easily redeem it as soon as the pandemic dissipates and U.S. air travel rebounds, there is also a segment of travelers who, for one reason or another, do not have that ability. Just as your member airlines cannot forecast when their businesses will recover, many travelers do not know when they will be able to rebook their trips again—and some may need to scrap their plans altogether due to newly-found circumstances. We believe liberal flexibility for rebooking travel cancelled due to the pandemic will provide people with an incentive to take to the skies again.

As you are aware, many people are flying during the pandemic. Communities across the country continue to depend on air service for commerce and, especially now, transportation of essential cargo like medicines and food. COVID-19 is an insidious disease, and in boarding lines and on airplanes, passengers and frontline workers are trying to avoid getting sick or exposing others to the disease. We strongly urge that, during this public health emergency, your airline members ensure strict adherence to public health guidance regarding physical distancing as passengers board and when they are seated in the airplane, regardless of their fare class. Additionally, we would note that foreign airlines, including Air Canada, are requiring passengers to wear masks as a condition of travel. We would also urge your airline members to adopt clear, enforceable policies, accompanied by clear guidance to frontline workers, such as crewmembers and airport customer service agents, that require flight attendants and passengers to wear masks or other face coverings for the entirety of their air travel during this public health emergency. It is critical that your member airlines have in place strong and consistent policies that limit the spread of COVID-19 and protect the safety and health of frontline airline workers and passengers.

Thank you for your prompt attention to this important matter.

⁴ *Id.*

⁵ Jane L. Levere, *Business Travel Has Stopped. No One Knows When It Will Come Back*. N.Y. TIMES (Apr. 20, 2020), <https://www.nytimes.com/2020/04/20/business/business-travel-coronavirus.html>.

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Sincerely,



PETER A. DeFAZIO
Chair



SAM GRAVES
Ranking Member



RICK LARSEN
Chair
Subcommittee on Aviation



GARRET GRAVES
Ranking Member
Subcommittee on Aviation