



March 2, 2020

Doug Parker  
Chairman and Chief Executive Officer  
American Airlines  
4255 Amon Carter Boulevard  
Ft. Worth, TX 76155

Dear Mr. Parker:

We are writing to urge American Airlines to establish a policy to ensure that children aged 13 and younger are seated with a parent or other family member with whom they are travelling, without having to pay an added fee or upgrade to a different class of ticket. Consumers are demanding this common sense change to your policies, which would improve safety and security for travelers while giving families peace of mind. In just over a week, more than 120,000 people have signed Consumer Reports' petition urging American, Delta, and United Airlines to seat children with their families without charging them extra for it.

American Airlines is already aware of the ages of those traveling, and uses that information as reservations are made. For example, a parent cannot make a reservation for a child under age 15 traveling alone unless they set up arrangements for that child to travel as an unaccompanied minor, at which point American makes sure that flight attendants are aware of and responsible for the child during travel, particularly in the case of emergencies. And children under the age of five are not allowed to fly alone, under any circumstances.<sup>1</sup> These same requirements should apply to children flying with their families: regardless of the ticket class purchased, children under the age of 14 should be seated with an adult who is looking out for them -- at no extra cost.

Four years ago, recognizing the safety risks inherent in seating children away from their families on planes, Congress directed the Department of Transportation (DOT) to:

review and, if appropriate, establish a policy directing all air carriers providing scheduled passenger interstate or intrastate air transportation to establish policies

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<sup>1</sup> <https://www.aa.com/i18n/travel-info/special-assistance/unaccompanied-minors.jsp>.

that enable a child, who is age 13 or under on the date an applicable flight is scheduled to occur, to be seated in a seat adjacent to the seat of an accompanying family member over the age of 13, to the maximum extent practicable and at no additional cost, except when assignment to an adjacent seat would require an upgrade to another cabin class.<sup>2</sup>

And yet, to date, DOT has taken no steps toward change, stating publicly that the limited number of complaints did not make the case for regulation.<sup>3</sup> However, research by Consumer Reports has found that the problem is persistent and that some families face a battle to ensure that they are seated together with their children, sometimes even when they choose seats far in advance.

We have also found that DOT's complaint form is not well known or understood by the traveling public. After Consumer Reports established a portal to enable travelers to easily submit complaints to the Department, approximately 600 people submitted complaints in just two months -- four times as many as the Department had previously received in nearly two years.<sup>4</sup> One individual who submitted a complaint about an incident that took place in 2016 wrote, "I didn't complain back then because I didn't know I could. [People] need to speak up and we need education on our rights as consumers. Had I known I could file a complaint I would have at that very moment." Another who spoke by phone with Consumer Reports told us, "I never would have thought to complain to the Department of Transportation." And a third emailed Consumer Reports noting that she only learned about the complaint form when she saw a posting on Facebook about CR's efforts.

In their complaints and their responses to the petition, parents are expressing deep frustration about the current situation with airlines. We have heard from parents who bought tickets and selected seats but then found those seats were no longer assigned to them when they checked in. Other parents bought Basic Economy tickets understanding that they would not be able to select particular seats, but not understanding that the ticket could actually put the children in seats that are nowhere near their parents, leaving them vulnerable and at risk. Many were told that paying an additional fee, or securing an upgrade, was the way to enable them to sit with their children.

On your website, American Airlines claims to have a policy that would prevent these sorts of things from happening. According to the site, "If you're a family traveling with children under 15, we want to help make sure you're seated together on your flight." The airline goes farther than its competitors in stating that children traveling Basic Economy are also assured of a seat with an adult. It reads: "If you're unable to choose seats, don't want to pay for seats, or chose a Basic Economy fare, our system will detect that you're a family traveling. The system will

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<sup>2</sup> Section 2309 of the FAA Extension, Safety, and Security Act of 2016.

<sup>3</sup> U.S. Department of Transportation, "DOT's Review of U.S. Airline Family Seating Policies," updated September 27, 2019. "Based on the low number of complaints received and review of airline family seating policies, the Department determined that it was unnecessary to direct airlines to establish policies on family seating." ([www.transportation.gov/individuals/aviation-consumer-protection/review-us-airline-family-seating-policies](http://www.transportation.gov/individuals/aviation-consumer-protection/review-us-airline-family-seating-policies)).

<sup>4</sup> All complaints cited in this letter were submitted to CR through the website, [www.cr.org/familytravel](http://www.cr.org/familytravel), between the dates of November 21, 2019 and February 27, 2020. CR submitted them to the Department of Transportation on the complainants' behalf.

search for seats together automatically before the day of departure. We'll try our best to keep you together, but if seats are limited, we'll assign seats so children under 15 are next to at least 1 adult."<sup>5</sup>

Unfortunately, despite these strong claims, travelers continue to face these issues with American Airlines. As Francesca from New York stated in a complaint she filed with the Department through the Consumer Reports portal:

My family and I traveled with American Airlines from Reno airport to LAX. We have three children and our seats were scattered throughout the plane, with one child seated completely separate from us. When I approached the gate and requested my child to sit with me, the American Airlines person refused to accommodate him unless we paid extra for the seat assignment. After a verbal confrontation with legitimate rationale for not having a child sit with strangers, the agent made the seat change. Under no circumstances should a child (in this case, 6, 8 and 10 years old), be seated separate from their parent/ guardian/ travel companion. In the same way that there are laws surrounding child endangerment, abandonment and neglect, there are protections needed while flying to ensure ALL passengers are traveling safely, especially children.

Alexandra S. from New York shared a similar experience. In her case, even paying for reserved seats was not enough to guarantee that her family would sit together. Her seat selections were undone after the airline made a switch to the airplane being used, a fact she did not realize until she was on the way to the airport.<sup>6</sup> As she tells it in her complaint filed with DOT through the CR portal:

My husband and I flew on AA with our 8 month old twin daughters. We paid for extra leg room seats and purchased 3 seats. One for a baby in a car seat and the other baby would be a lap child. Upon arriving at the airport we came to find out they separated my daughter (whose ticket said INFANT) 2 rows behind us. When we asked the gate agent to assist she said "sorry nothing I can do, you have to figure this out on the plane." We continued to share how this was an impossible seat configuration to have my 8 month old by herself and continued to share just how hard it was to travel with twins - to which she did not care. Instead of assisting us, my husband said, can you make an announcement to anyone in our rows to come to the desk so we can ask them to switch. She said no. To which my husband said, ok I will do it myself. He then proceeded to turn around and yell to the crowd "American Airlines has separated me from my 8 month old daughter and won't place us together. If anyone is seated in rows 12 and 13 can you please come help us figure this out" - A manager nearby was not thrilled my husband was yelling and asked him to stop. To which we explained the issue. Thankfully, she was very nice and within moments placed our seats together. If it was not for her we would have had a nightmare on the plane.

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<sup>5</sup> <https://www.aa.com/i18n/travel-info/special-assistance/traveling-children.jsp>.

<sup>6</sup> Phone call between Consumer Reports and Alexandra S. (March 1, 2019).

Others wrote that they paid for seats, specifically, so that they could ensure that they were seated together, under the assumption that a Basic Economy fare would not serve their needs. As one mother wrote:

I recently booked flights for me, my husband, and our two children (a 2 year old and a lap infant) from our home in Grand Rapids, MI to Ontario, CA. I could have booked the lowest advertised fare and risked not sitting next to my toddler, not having a window seat to secure her car seat, and not having the assistance of my husband in traveling with two small children. Instead, I paid an extra \$70 per ticket for the 'privilege' of selecting seats together. That basic economy fares make no exception for families with small children is nothing less than a discriminatory surcharge for traveling with kids.

American Airlines is certainly aware of the risks to small children when sitting far from their parents with no responsible adult nearby. Among other risks, the FBI has reported on increases in sexual assaults in commercial travel.<sup>7</sup> Also, emergency procedures and evacuations will certainly be slowed and compromised by anxious parents and children who are far apart from each other on the plane.

We urge American Airlines to listen to the more than 120,000 petition signatories, and to act where DOT chose not to. Put traveler safety first, by ensuring that young children can always be seated with a member of their family, regardless of how much the family pays for their tickets or whether they pay to choose specific seats.

We appreciate that your staff has taken the time to speak with us about this issue, and look forward to working with you as we continue to work for stronger traveler rights and for a more coherent and transparent air travel marketplace.

Sincerely,



Anna Laitin  
Director, Financial Policy



William J. McGee  
Aviation Adviser

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<sup>7</sup> Federal Bureau of Investigation, "Sexual Assault Aboard Aircraft," April 26, 2018 ([www.fbi.gov/news/stories/raising-awareness-about-sexual-assault-aboard-aircraft-042618](http://www.fbi.gov/news/stories/raising-awareness-about-sexual-assault-aboard-aircraft-042618)). In FY 2017, 63 cases were reported to the FBI, up from 38 in 2014. According to an FBI airport liaison: "It's safe to say that many incidents occur that are not reported." .