



March 2, 2020

Oscar Munoz  
Chief Executive Officer  
United Airlines  
233 S. Wacker Drive  
Chicago, IL 60606

Dear Mr. Munoz:

We are writing to urge United 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.

United 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 United 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 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

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<sup>1</sup> <https://www.united.com/ual/en/us/fly/travel/special-needs/minors.html>.

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.

These parents expressed concern about what could happen to their children if they were seated apart. As Monica F. from California wrote in a complaint submitted through the CR portal:

On both my flight from SFO to EWR (San Francisco, CA to Newark, NJ) and on the return flight, myself and my two children were all seated in completely different rows and [a]isles from each other. I arrived two hours prior to boarding to speak to a gate agent. I was first in line. However, I was told there was nothing they could do as the person they asked refused to change their seat. I was told to ask passengers after boarding. I had to beg two passengers to switch seats with me

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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.

and another to switch seats with my son, and it wasn't until minutes before takeoff that several people finally relented. My daughter, 4 years old, was terrified, crying and calling out for mommy. My son, 6 years old, is on the autism spectrum and I could not have him seated away from me. I was angry and outraged that nothing could be done. The airline knew how old my kids were and that we were traveling on the same itinerary. It is infuriating that I have to PAY to be seated next to my young children. Or sentence me to being away from them on a six hour flight, causing them fear, despair, and emotional trauma. Something needs to change. This is UNACCEPTABLE.

Similarly, Laura S. from Hawaii used CR's portal to submit a complaint to DOT regarding her efforts to sit next to her breastfeeding 11-month old baby. She paid an upgrade fee just to ensure that her infant was seated next to her:

We booked a flight with United Airlines for myself, my husband and my 11 month-old son. We were all booked in separate seats rows apart from each other. When I called United to explain that I had an 11 month-old and he needed to be breastfed and we paid for a separate seat even though he would qualify for "infant in arms". The customer service agent told me there was nothing they could do to move our seats as the flight was full. There were four legs to this itinerary. We were only seated together on one of the four flights. My husband called to ask if he could move to seat next to our son and was told he needed to pay an upgrade fee of \$25 per leg to sit next to our son. We paid the fee, reluctantly because the United airlines agent said that was the only way.

United 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>5</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.

In response to press inquiries in the past week, United has released a statement that reads: "Our system will automatically seat children next to at least one adult traveling under the same passenger name record, even if the family does not choose their own seat assignment when booking travel." However, this contradicts information that United provides to travelers who have submitted complaints to DOT through our portal and on its own website.

In emails to Monica F. responding to her complaint, United recommended that families purchase particular classes of tickets or pay seat assignment fees to ensure that they will sit together:

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<sup>5</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."

United strives to seat children under age 15 with an accompanying adult family member. However, as you may know, you purchased Basic Economy tickets which do have some important restrictions. As noted on our website, with Basic Economy tickets, group and family seating is not available.

Customers with Basic Economy tickets cannot make complimentary seat selections but may be able to purchase advance seat assignments. Since it's important for your family to sit together, you may want to consider purchasing advance seat assignments if available or selecting a different fare option other than Basic Economy in the future.

This message is conveyed on the United website, where the page makes clear that "Group and family seating is not available."<sup>6</sup> With this message, United Airlines has placed the onus directly on the traveling public to pay extra to provide safe seating for their children next to a responsible adult.

The obligation for ensuring that children sit with a responsible adult appropriately belongs with the airline that, through its reservation system, controls the seat map and knows the ages of all of the travelers on the plane. Travelers should not have to pay more to be safe, or else be sold a ticket that virtually ensures they will be seated away from their children. As one traveler wrote in her complaint to DOT: "We didn't care WHERE we sat. We just needed to be with our kids." United can fix this problem for all travelers.

In a follow-up email to Monica F., United Airlines wrote: "We're listening to our passengers now more than ever, and your feedback is heard and appreciated."<sup>7</sup> We urge United Airlines to do just that: listen to your travelers and to the more than 120,000 petition signatories, and act where DOT chose not to. Put traveler safety first, by ensuring that young children will 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 to improve 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>6</sup> <https://www.united.com/ual/en/us/fly/travel/inflight/basic-economy.html> (last accessed March 1, 2020).

<sup>7</sup> Email from CustomerCare@united.com to Monica F. (December 21, 2019).

