

# Congress of the United States

Washington, DC 20515

August 5, 2025

The Honorable Sean Duffy  
Secretary  
Department of Transportation  
1200 New Jersey Avenue SE  
Washington, D.C. 20590

Dear Secretary Duffy,

We write to underscore the congressional intent behind Sections 542, 543 and 544 of the Federal Aviation Administration (FAA) Reauthorization Act of 2024, which were based on provisions we were proud to introduce and champion. These provisions resulted in the Department of Transportation's (DOT) final rule titled Ensuring Safe Accommodations for Air Travelers with Disabilities Using Wheelchairs (Docket No. DOT-OST-2022-0144), which was published on December 16, 2024.<sup>1</sup>

The final rule strengthens enforcement of the Air Carrier Access Act (ACAA) and fulfills the Department's statutory obligations under the 2024 FAA Reauthorization Act. We appreciate the Department's thorough process, which included an extended comment period to its Notice of Proposed Rulemaking (NPRM) and the review of nearly 2,000 public submissions, ranging from individual travelers to disability rights organizations, airlines, labor, and industry stakeholders.<sup>2</sup>

Critically, the rule tracks congressional direction. Sections 542 and 543 of the 2024 FAA reauthorization are based on an amendment Representative Titus offered during the markup in the Transportation & Infrastructure Committee. As outlined in the final rule, Section 542 of the 2024 FAA Act directs DOT to issue a rulemaking to develop requirements for minimum training standards for airline personnel or contractors who assist wheelchair users who board or deplane using an aisle chair or other boarding devices. Section 543 directs DOT to issue a rulemaking to develop requirements for minimum training standards for airline personnel or contractors related to stowage of wheelchairs and scooters used by passengers with disabilities on aircraft. And Section 544 is based on the Mobility Aids on Board for an Inclusive and Level Equitable (MOBILE) Act, bipartisan and bicameral legislation led by Representatives Cohen and Stauber in the House. This Section directs DOT to issue a rule directing carriers to publish information relating to aircraft cargo hold dimensions, in order to better inform passengers about the limitations of an aircraft's ability to accommodate assistive devices. It also requires carriers to offer a refund to individuals for fares, fees, and taxes paid for a flight that cannot accommodate the passenger's assistive device.

Congress acted because the status quo for passengers with disabilities was unacceptable. Disabled passengers, a number of which are veterans, who use wheelchairs, scooters, and other assistive devices have too often faced systemic barriers to safe air travel ranging from damaged mobility devices to unsafe transfers, inadequate

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<sup>1</sup> Final Rule on Ensuring Safe Accommodations for Air Travelers with Disabilities Using Wheelchairs, Department of Transportation, December 16, 2024, <https://www.transportation.gov/airconsumer/final-rule-ensuring-safe-accommodations-air-travelers-MSword>

<sup>2</sup> Ensuring Safe Accommodations for Air Travelers with Disabilities Using Wheelchairs - Extension of Comment Period, Department of Transportation, May 1, 2024, <https://www.transportation.gov/airconsumer/latest-news>

training, and a lack of timely assistance. These experiences have had serious consequences, including loss of independence, injury, and in some tragic cases, death.<sup>3</sup> As United Spinal Association’s Director of Advocacy and Policy Stephen Lieberman stated, “This is a massive, systemic problem that has resulted in too many deaths, too many injuries, and too many people feeling like they’re second-class citizens. And yet outside of our community, the awareness isn’t there. The whole country should want to fix this if they only knew what was happening.”<sup>4</sup> That is why Congress – in an overwhelmingly bipartisan and bicameral fashion – directed DOT to address these failings through enforceable standards and accountability measures.

As the Department continues its implementation work, we urge you to preserve the rule’s integrity and ensure that any future actions reflect both the letter and spirit of what Congress enacted. If any aspect of the rule is reopened or revised, it is critical that the Department follow a transparent and inclusive process that allows all stakeholders, and particularly members of the disability community, to provide input.

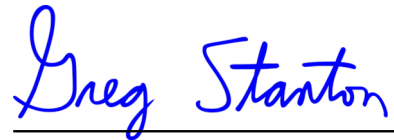
We stand ready to provide any additional context or clarification that may support the Department’s continued efforts to fully implement these critical protections.

Sincerely,



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Steve Cohen  
Member of Congress



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Greg Stanton  
Member of Congress



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Patrick Ryan  
Member of Congress



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Dina Titus  
Member of Congress



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Mark DeSaulnier  
Member of Congress



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John Garamendi  
Member of Congress

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<sup>3</sup> Brooks, Laken, “Disability Advocate Engracia Figueroa Died After An Airline Damaged Her Wheelchair,” Forbes, <https://www.forbes.com/sites/lakenbrooks/2021/11/08/disability-advocate-engracia-figueroa-died-after-an-airline-damaged-her-wheelchair/>

<sup>4</sup> “Advocates Express Fear and Rage at Latest Wheelchair User’s Death-by-Airline,” United Spinal Association, February 7, 2023, <https://unitedspinal.org/advocates-express-fear-and-rage-at-latest-wheelchair-users-death-by-airline/>



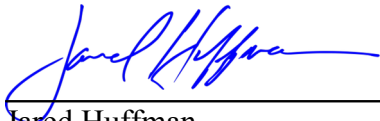
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Frederica S. Wilson  
Member of Congress



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Chris Deluzio  
Member of Congress



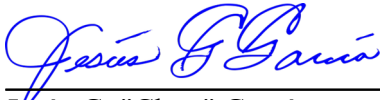
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Jared Huffman  
Member of Congress



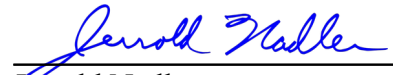
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Pramila Jayapal  
Member of Congress



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Jesús G. "Chuy" García  
Member of Congress



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Jerrold Nadler  
Member of Congress