



June 1, 2020

Secretary Elaine Chao
Department of Transportation
1200 New Jersey Avenue, SE
Washington, D.C. 20590

Secretary Alex Azar
Department of Health and
Human Services
200 Independence Avenue, SW
Washington, D.C. 20201

RE: Plan for Safe and Stable Recovery of the Airline Industry

Dear Secretary Chao and Secretary Azar:

We are writing to follow up on our April 23, 2020, letter requesting coordinated action by the Departments of Transportation (DOT) and Health and Human Services (HHS) to put in place emergency safety and health procedures for aviation during the Covid-19 pandemic. There is an urgent need for a coordinated, enforceable federal response to address this crisis that is affecting the health of workers and the traveling public, as well as the 11 million people who count on secure jobs through the financial health of commercial aviation. We urge DOT to convene immediately a COVID-19 Air Travel Recovery Task Force to develop effective mitigations to ensure the health and safety of passengers and aviation employees during the pandemic, and a follow on plan to put the industry on a path to recovery.

The COVID-19 Air Travel Recovery Task Force should include representatives from the DOT, Federal Aviation Administration (FAA), HHS, the Centers for Disease Control and Prevention (CDC), the Department of Homeland Security (DHS), the Transportation Security Administration (TSA), airlines, unions, and other stakeholders. Such clear, coordinated direction and action from the federal government and industry stakeholders will speed recovery of our aviation infrastructure and ensure that workers and the traveling public are not exposed to unnecessary, preventable health risks.

In our April letter, AFA requested that your Departments use your authority to “mandate masks in aviation for crew, employees and passengers and require personal protective equipment,” among other requests. We noted that although flight attendants have been hard hit by COVID-19, crew and passenger use of masks and cloth face coverings, along with proper hand hygiene and social distancing, can help to limit the health risks of air travel, which is critical to the rapid transport of essential workers, grieving family members, and mail and cargo throughout the country and around the world. Airlines individually responded with policies requiring masks, which is a step forward for safety. However, without federal requirements, policies are inconsistent, and communication to the traveling public is not as clear as it should be. Enforcement is inconsistent. Flight attendants and gate agents need full management support and the authority to enforce airline policies that keep everyone safe and defuse tensions.

Since sending our request, the FAA has updated, on May 11, 2020, a previous (non-required) guidance document for air carrier operators, SAFO 20009.¹ This revision links to an updated CDC online guidance page that expands the list of COVID-19 symptoms.² While this update is significant for expanding the list of COVID-19 symptoms based on the latest data, the FAA guidance does not require the use of masks or other personal protective equipment (PPE) by crew and passengers. At least one carrier has refused to follow SAFO guidelines, assigning discipline to flight attendants when sick, and outright refuses to notify passengers and crew who may have been exposed to a test positive.

In addition to emergency steps taken to address security immediately following the events of September 11, 2001, there are other precedents for requiring air travel health measures. The DOT, in proposing³ a ban on the use of e-cigarettes aboard aircraft, stated that one regulatory purpose was to “reduce the risk of adverse health effects on passengers and crewmembers.” Clearly, regulatory measures to require the use of masks on aircraft, provision of appropriate PPE, and restrictions on leisure travel, will reduce the risk of adverse health effects during the COVID-19 emergency. We propose, therefore, DOT promulgate an emergency rule through the duration of the pandemic that includes the following specific measures for all commercial flights:

- All airplane cabin occupants must wear a mask or cloth face covering per CDC guidelines.⁴ Masks should be worn at all times, except as necessary for eating, drinking, or during other similar, temporary activities. Incidents involving passenger violations of this rule should be considered interfering in a crewmember’s duties in violation of 14 CFR §§ 91.11 or 121.580, or 49 USC § 46504.
- Flight attendants, as aviation’s first responders and potential carriers of the virus without proper protection, must be provided N95 masks, gloves, and other PPE. While we recognize the challenges originally created due to supply chains, we reiterate the need to implement this standard as soon as practicable following proper provisioning of hospitals and other medical centers.
- Government must establish and conduct health monitoring for passengers and crewmembers, which could include temperature checks, signs/symptoms, travel history, and viral or antibody testing. While these measures will not prevent every asymptomatic person (who may still be capable of transmitting the virus) from boarding a flight, they will minimize this risk as much as possible.
- Social distancing standards in the cabin must be set; this may require defining hard load limits that vary depending on specific airplane cabin configurations. Although this could result in more aircraft placed into service for the duration of the pandemic, minimizing the spread of COVID-19 on aircraft should decrease the duration of the emergency.
- Require airlines to meet cleaning standards to disinfect, or sanitize, per appropriate CDC guidance, aircraft cabin surfaces after each flight.

¹ FAA; COVID-19: Updated Interim Occupational Health and Safety Guidance for Air Carriers and Crews; May 11, 2020. https://www.faa.gov/other_visit/aviation_industry/airline_operators/airline_safety/safos/all_safos/media/2020/SAFO20009.pdf. Accessed May 18, 2020.

² CDC; Symptoms of Coronavirus; Page last reviewed: May 13, 2020. <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>. Accessed May 18, 2020.

³ DOT; Smoking of Electronic Cigarettes on Aircraft; September 15, 2011. <https://www.regulations.gov/document?D=DOT-OST-2011-0044-0003>. Accessed May 18, 2020.

⁴ CDC; Use of Cloth Face Coverings to Help Slow the Spread of COVID-19; <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>; Accessed May 18, 2020.

- Maximum cabin air ventilation rates must be required, particularly during boarding and deplaning, and High Efficiency Particulate Air (HEPA) filters must be installed and replaced per manufacturer's instructions.

The current environment of divergent airline policies that has resulted from non-mandatory federal guidance is simply not working. Inconstant and inconsistent airline policies and practices are poorly understood by crew and passengers alike, leaving flight attendants to risk their health and even their lives while attempting to manage the otherwise avoidable conflicts that result.

This patchwork of policies has also left a vacuum at the airport, where airlines do not have jurisdiction over passengers. Flight attendants, aviation workers, and the flying public's safety can only be guaranteed to the lowest screening standard. Right now, there is no standard. The measures we propose above will minimize the spread of the COVID-19 virus aboard airplanes, reduce the duration of the COVID-19 emergency, and ultimately restore the confidence of the traveling public in the health security of commercial air travel. We urge immediate implementation of these measures – including a working task force to devise a fulsome plan - to reassure flight attendants, other aviation workers, and passengers that we are cleared for take-off.

Sincerely,



Sara Nelson
International President

cc: Steve Dickson, FAA Administrator
Robert Redfield, CDC Director
Peter DeFazio, Chairman House T&I Committee
Roger Wicker, Chairman Senate Commerce Committee
Sam Graves, Ranking Member House T&I Committee
Maria Cantwell, Ranking Member Senate Commerce Committee