

ANNUAL REPORT
ON
DISABILITY-RELATED
AIR TRAVEL COMPLAINTS
RECEIVED DURING
CALENDAR YEAR 2016

**Report of the Secretary of Transportation to the
United States Congress**

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Annual Report on Disability-Related Air Travel Complaints Received During Calendar Year 2016

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Overview

The Air Carrier Access Act (ACAA), 49 U.S.C. 41705, prohibits discriminatory treatment of persons with disabilities in air transportation and also requires that the Secretary of Transportation “regularly review all complaints received by air carriers alleging discrimination on the basis of disability” and “report annually to Congress on the results of such review.” This annual report to Congress, which covers disability-related complaints that U.S. and foreign air carriers conducting passenger operations to, from, and within the U.S. received during the 2016 calendar year, complies with this requirement.

Summary of Findings

For the 2016 reporting period, 34 U.S. carriers and 150 foreign carriers submitted the required disability-related complaint data. The total number of carriers that submitted data for the 2016 reporting period, 184 carriers, has increased by eight carriers in comparison to the 2015 reporting period. However, a number of U.S. and foreign carriers ceased operations or discontinued passenger service to the U.S. in 2016, while other carriers received authority to operate passenger service to, from, or within the U.S. during the same time period. The Department continuously informs new carriers of their reporting obligations and makes efforts to identify the carriers to which the reporting rule applies.

The 34 U.S. carriers that submitted data for the 2016 calendar year reported receiving 27,842 disability-related air travel complaints, and the 150 foreign air carriers reported receiving 4,603 complaints during the same time period, for a total of 32,445 complaints received by these 184 carriers. Nearly half of the complaints reported (14,591) concerned the failure to provide adequate assistance to persons using wheelchairs. The overall number of disability-related complaints received by carriers for calendar year 2016 (32,445) increased by approximately five percent over the number received by carriers in calendar year 2015 (30,830). There was a 2.73 percent increase in the number of passenger enplanements¹ over this same period. The increase in the overall number of complaints (1,615) comes from an increase in complaints received by U.S. air carriers (1,441); the number of complaints received by foreign air carriers only increased by 174. We are unable to determine the reason for the year-over-year increase in disability-related complaints. However, the Department’s Office of Aviation Enforcement and Proceedings (Aviation Enforcement Office) within the Office of the General Counsel routinely investigates carriers that experience significant spikes or variations in the number of disability complaints they report to the Department from year-to-year.

¹ Domestic and international passenger enplanements by U.S. and foreign carriers increased between 2015 and 2016 from approximately 803.6 million to approximately 827.5 million, an increase of 2.73 percent.

A summary of the 2015 and 2016 disability complaint data is set forth in the table below.

Calendar Year	Total Number of Disability Complaints Received by Domestic Carriers	Total Number of Disability Complaints Received by Foreign Carriers	Total Number of Disability Complaints Received by All Carriers
2015	26,401	4,429	30,830
2016	27,842	4,603	32,445

The complaint numbers should not be interpreted as reflecting violations of law as the data being provided were taken directly from reports submitted by carriers. The Department has not audited or verified these consumer complaint numbers nor has the Department reviewed the substance of each of the complaints filed with the carriers to determine whether the incidents constituted violations of the ACAA or the provisions of 14 CFR Part 382, the Department's regulations concerning nondiscrimination on the basis of disability. The Department's Aviation Enforcement Office does, however, investigate each complaint filed directly with its Aviation Consumer Protection Division and audits carriers as it deems necessary to ensure accurate reporting. Between 2009 and 2016 the Aviation Enforcement Office conducted a number of on-site investigations, which involved reviewing both U.S. and foreign carrier records to, among other things, verify the accuracy of the carrier's disability reporting.

Four categories of information are being presented in this report: Appendix A contains summary totals for all carriers; Appendix B contains summary totals for U.S. air carriers; Appendix C contains summary totals for foreign air carriers; and Appendix D contains detailed data from each carrier.