Good morning Chairman Hersman and fellow Board members.

My name is Patricia Friend and I am the International President of AFA, the Association of Flight Attendants-CWA. Thank you for the invitation to speak on behalf of our 42,000 flight attendant members at 21 airlines.

One of the goals of the Association of Flight Attendants is to ensure safe air travel for our members and the flying public. Flight attendants are responsible for the safety, health and security of all occupants in the cabin of commercial airplanes. For our youngest passengers, we believe there is only one safe way to fly, and that is the reason for this organization's steadfast support over the past 20 years that proper use of approved child restraint systems (CRS) be required for passengers under the age of two during takeoff, landing and turbulence.

On the aircraft, flight attendants make multiple announcements to passengers requesting compliance with safety standards in preparation for the “unexpected.” We are required to secure all items in the cabin, galley and lavatories, from carry-on bags to coffee pots, to comply with federal regulations intended to ensure safety in an emergency, when loose items can become missiles. In fact, an unsecured lap child is one of those “loose items” that may not only suffer serious injury, but may also injure others. Flight attendants should not have to look a parent in the eye and instruct them to continue to hold the lap child when we know there is a very real possibility that child may not survive an emergency landing without proper restraints. And yet our members have had to do this.
There were two airplane accidents in which children died that began to focus AFA on the necessity for child restraint systems. United Airlines flight 232, enroute from Denver to Chicago on July 19, 1989, experienced a loss of hydraulic pressure. At the time of the accident the crash-landing brace position at United Airlines for lap children was to have parents place their small children on the floor at their feet and hold them there while the parents assumed the protective brace position. One child died of asphyxiation secondary to smoke inhalation. Five years later, on July 2, 1994, another child died on US Airways flight 1016. Investigative reports filed for both of these accidents described the difficulties faced by the parents and their inability to hold onto their children.

These two accidents should be reason enough to require the use of CRS for all small children traveling on commercial airplanes. However, the aftermath of an aviation accident isn’t our only concern regarding child safety. In preparation for this forum we surveyed our flight attendant members to find out what was actually happening in the cabin regarding lap children and the use of child restraint systems. Just over 600 flight attendants completed the survey, which represents a fair sampling of our members’ experiences, observations and opinions. As an aside, we are more than willing to share the survey data, suitably deidentified, with the NTSB.

One consistent response from our members: If a CRS did not have a placard approving it for use on the aircraft, or if it was a booster type seat without a hard back and internal restraint, then the use of the CRS was not allowed. However, with respect to all other questions regarding carrier policies, procedures and training related to lap children and CRS, survey responses were confused and contradictory. This confusion is apparent from an analysis of responses representing all airlines included in the survey, as seen in the data for the two questions summarized in this slide.

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
<th>Don't know or not sure</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. Are lap children recorded on your carrier’s passenger manifest?</td>
<td>443</td>
<td>112</td>
<td>71</td>
<td>626</td>
</tr>
<tr>
<td>13. Does your carrier provide any training to assist you in advising passengers regarding correct installation and fastening of CRS on airplane seats?</td>
<td>214</td>
<td>303</td>
<td>49</td>
<td>626</td>
</tr>
</tbody>
</table>

Two examples of data indicating confusion among flight attendants who responded to questions about lap child and child restraint systems policies.

Also apparent from the survey, as seen in the next slide, was frustration among the more than half of survey respondents who feel they are either not allowed to question parents about a child’s age, or not encouraged by their employer to ask the age of the
child even when the flight attendant suspects the lap child is above 24 months of age. This frustration was apparent in both the tone and the quantity of flight attendants comments to this question. Multiple flight attendants described situations where the “lap child” seemed larger than an average 2-year-old in both size and maturity. In fact, several comments told of how some of these lap children were quite articulate, spoke in complete sentences, and, in some cases where the flight attendant discreetly asked the lap child their age, the usual response was an age older than 2 years.

Summary data indicating that approximately half of all flight attendants are either told not to, or at least not encouraged to, question parents about the age of lap children.

As I mentioned earlier, flight attendants are required to ensure everything is stowed on an aircraft. However, specific guidance from our airlines relevant to child restraint systems has our members confused and frustrated over the obviously inconsistent application of the federal aviation occupant safety regulations. One member who responded to our survey summed it up quite nicely:

“Some lap children are as big as my 4 year old. It’s tricky because I have to tell some passengers that they cannot hold their laptop on their lap, however a …wiggly, 20 lb. human is allowed.”

This inconsistent application of safety standards occurs because federal regulations do not require parents show proof of, or airlines otherwise verify, a lap child’s age. Therefore, by default, each airline may choose how and even whether to enforce the age two limit for lap children. The result is a confusing, inconsistent mess of policies, procedures and guidelines, with individual flight attendants left to try and make the best of an unsafe situation.

The FAA has contended and continues to argue that if airlines were to require the purchase of a seat and the use of a child restraint system, people who would otherwise fly would use cars. Since highway travel is inherently less safe than air travel, they argue, such a shift would result in the loss of additional lives on the nation’s highways. As AFA has said in the past, this is a flawed, unproven argument.
In fact, AFA commissioned an independent review of this contention in 1995, which identified four key shortcomings in the FAA’s assumptions. We are happy to again share that report with NTSB, but to summarize, the FAA analysis:

1. lacked key data to determine price sensitivity;
2. used an industry demand curve that unrealistically simplifies a complex situation;
3. failed to take into account the price competition generated by low-fare carriers; and
4. failed to take into account the effects of income sensitivity.

At a fundamental level, the FAA argument that requiring child safety seats is not a worthwhile and cost effective safety improvement turns on unproven assumptions regarding the cross elasticity of demand for airplane and automobile travel.\(^1\) Whether the cross elasticity of demand is significantly different from zero is the issue. In all of the FAA and industry studies, it is assumed that the cross elasticity of demand is significantly different from zero; i.e., that travelers will change their mode of transportation from air to automobile if CRS is required for children under two. However, there is no empirical proof given to support this assumption of behavioral change. Therefore, no matter how elegant the models appear, use of this unproven assumption can only lead to public policy recommendations that must be rejected. Not only that, air carriers have in fact said, were they mandated to require use of child restraint systems, they will come up with fares to ensure that they keep these passengers, rather than lose them to the roads.

It is through agencies like the NTSB making recommendations aimed at protecting children from death and injury in transportation-related crashes that the traveling public has a slightly increased awareness regarding the need to protect infants and small children. We were therefore disappointed when the NTSB removed the recommendation to the FAA to “require infants and toddlers under age 2 to be safely restrained on takeoff, landing, and in turbulence” from their “Most Wanted List” of Aviation Safety Improvements in 2006. That said, we were pleased to see the recent NTSB recommendations to the FAA to amend 14 Code of Federal Regulations Parts 91, 121 and 135 to require each person who is less than 2 years of age to be restrained in a separate seat position by an appropriate child restraint system during takeoff, landing, and turbulence.\(^2\)

We wish to thank the NTSB for sponsoring today’s public forum. An event like this and subsequent education campaigns are useful for increasing public awareness of the hazards of allowing children under the age of two to be held on the lap.

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\(^1\) The cross elasticity of demand is the percentage change in the demand for one good due to a percentage change in the price of another good.

\(^2\) NTSB Recommendation Letter A-10-122 and 123.
Unfortunately, the FAA’s decision to continue allowing children under the age of two to be held on a parent’s lap during takeoff, landing and turbulence gives many parents the false impression that this practice is safe. With no change in the regulations, no matter how much education the public receives, this impression will be impossible to eradicate. Since United flight 232, one level of safety is still not afforded to our most precious passengers, children traveling in laps. To achieve one level of safety for our most vulnerable travelers, we must develop strong regulation, monitoring and enforcement. Thank you for your attention to these comments, and taking the time to hear the concerns expressed by our member flight attendants.