

Statement of Christopher J. Witkowski  
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at the NTSB Advocacy Briefing  
on Child Restraints on Aircraft  
Washington, DC  
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Good afternoon Chairman Engleman Connors and fellow Board members.

My name is Christopher Witkowski and I am the Director of the Air Safety, Health and Security Department of the Association of Flight Attendants. Thank you for the invitation to speak on behalf of our 46,000 flight attendant members.

One of the goals of the Association of Flight Attendants is to ensure safe air travel for our members and the flying public, whose safety is the responsibility of flight attendants. And that is the reason for this organization's steadfast support for a mandatory requirement of child restraint seats (CRS) for passengers under the age of two. We believe this is the only safe way for our youngest passengers to fly. And this has been a long struggle.

It was in the 1960's and 1970's when infant restraint devices for automobiles first became more widely available. Although this was great for travel by car, it created somewhat of a conflict in aviation between the Federal Aviation Administration (FAA), the air carriers, and parents. Parents would attempt to bring and use child restraints on the aircraft assuming that if they could be used in vehicles they should be allowed on aircraft.

A Government Accounting Office (GAO) report at the time stated that the FAA needed to place a "high priority" on the study of infant seats and explore options for allowing their use on board. But it wasn't until 1982 that the FAA issued Technical Standard Order (TSO) C-100, which provided for the use of some automobile infant restraint devices on airplanes. Then in 1985 the FAA issued an Advisory Circular, which provided information about the approval process and use of these child restraints on board aircraft.

Then there were two airplane accidents in which children were lost that began to focus our organization on the issue. Retired flight attendant Jan Lohr is here to tell you about her experience in the United 232 accident in Sioux City in 1989.

In another accident, another child died in 1994 on US Airways flight 1016. A nine-month old infant and her mother were seated in a survivable section of the aircraft. The child sustained fatal injuries during the impact because the mother was unable to hold her. The daughter was found five rows ahead of their intact seat. The National Transportation Safety Board (NTSB) accident investigation concluded that this child probably would have survived had she been in a restraint seat. Another woman sustained minor injuries while her 19-month-old lap child sustained serious injuries.

While these deaths are tragic, of no less concern to AFA are injuries that can be sustained due to inflight turbulence. Flight attendants often see small children standing

on their parents' knees or leaning on shoulders making them susceptible to injury from any bounce or lunge of the plane. Turbulence is the leading cause of injury in non-fatal accidents. To manage this threat, turbulence should be avoided if possible. However, we know that technology has not yet provided a suitable on board detection and warning device to alert flight crews of all impending encounters. Even when such a significant safety technology becomes available, it will not provide a safety benefit to unrestrained infants and toddlers on board.

For many years, the NTSB has been making recommendations aimed at protecting children from death and injury in transportation-related crashes. It is through agencies like the NTSB that the traveling public has an increased awareness regarding the need to protect infants and small children. In fact, according to your own literature, all 50 states and the District of Columbia now have laws requiring child restraints in vehicles. Additionally, the Board has made recommendations to ensure that older children in vehicles are also properly restrained.<sup>1</sup>

While we have made great strides regarding protection of children in motor vehicles, the same cannot be said for aviation.

In aviation, the Safety Board issued its first recommendation concerning child restraints to the FAA in 1979 and additional recommendations in 1990, 1993 and 1995. We are here today to discuss the last recommendation, A-95-51, which would require restraint systems for children under the age of two and whether it should remain open and on your list of most wanted recommendations.

In 1990 the Aviation Subcommittee of the House Public Works and Transportation Committee held hearings on a bill that would have required use of child restraints. One of the main opponents to this was the FAA. Its argument was that requiring the use of child restraints on aircraft would cause people who would have otherwise flown to use cars, which are less safe, thereby resulting in the loss of more lives on the nation's highways. The FAA used this same argument in a 1995 report to Congress. AFA commissioned a review of the 1995 FAA report. This review identified four key shortcomings in the assumptions used to support the FA position. The report

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.

Recently, we have seen another article<sup>2</sup> with flawed assumptions that again suggests that requiring child safety seats is not a worthwhile and cost effective safety improvement.

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<sup>1</sup> National Transportation Safety Board. 2000. *Putting Children First*. Safety Report NTSB/SR-00/02. Washington, DC.

<sup>2</sup> Effects and Costs of Requiring Child Restraint Systems for Young Children Traveling on Commercial Airplanes; Newman, T., 2003.

Both the 1995 FAA report to Congress and the recent article make assumptions concerning the cross elasticity of demand for airplane and automobile travel<sup>3</sup>. The issues that need debating and the experimental data needed to prove these contentions have been ignored, and in their place unsupported assumptions are made. Whether the cross elasticity of demand is significantly different from zero is the issue. The assumption in all of these studies is that it is significantly different from zero; i.e., that travelers will change their mode of transportation from air to automobile if CSR is required for children under two. However, there is no attempt to prove this assumption of behavioral change. Therefore, no matter how elegant the rest of the model is, if the initial assumptions have not been proven, any resulting recommendations to change public policy must be rejected. Air carriers, for example, are already on record saying that they will come up with fares to ensure that they will keep these passengers.

Throughout the years AFA has worked internally and on industry and government groups regarding crashworthiness standards in aviation. We have worked on evacuation regulations, galley standards, jumpseat and harness dynamic standards and cart standards, just to name a few. We participate in all these activities to improve survivability rates and reduce injuries in accidents.

At the end of 1999, then-FAA Administrator Jane Garvey made a commitment that the agency would mandate the use of child restraint seats for the aircraft. We have yet to see any final rulemaking on this issue. We do hope the NTSB's recent decision to assess this current recommendation of requiring restraint systems for children under the age of two is not a reflection that the Board is wavering in following up with its commitment to one level of safety in every mode of transportation. It is not in the best interest of aviation safety to allow this recommendation to be cancelled.

Keep in mind that the lack of proper restraint on aircraft for infants has been a recognized safety hazard for over 40 years. AFA has advocated the need for the use of child restraints during takeoff, landing and turbulence for 15 years. It is not the flight attendants' goal to restrain children for our own convenience, as some have suggested.

AFA urges the NTSB to keep the current recommendation, A-95-51, open and on the Most Wanted List of Safety Improvements. This is to assure that one level of safety is afforded to all passengers and items onboard the airplane, including children under the age of two.

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<sup>3</sup> 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.