

Plaintiff's Exhibit 1

# Your activity

« Back to your account

MICHAEL JAMES FARIS

Platinum • Award miles: 16,233 • Million Miler<sup>SM</sup> balance: 103,073

Member since Apr 13, 2019

## Your miles

What do you want to do?

## Activity date range

( • Required)

From •

Aug

1

2021

To •

Jan

11

2022

Search

[AAdvantage program updates »](#)  
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See 'flight details' for the first flight to view activity for the entire trip.

Description		Elite Qualifying			Award miles		
		Miles (EQMs)	Segments (EQSs)	Dollars (EQDs)	Base miles	Bonus miles	Total
Oct 6 2021	SDF - DFW Ticket # 0012303034509 <a href="#">Flight details</a>	1,922	2	329	1,645	987	2,632
Sep 14 2021	SDF - DFW Ticket # 0012401188726 <a href="#">Flight details</a>	2,078	2	320	1,600	960	2,560











	Description	Elite Qualifying			Award miles		
		Miles (EQMs)	Segments (EQSs)	Dollars (EQDs)	Base miles	Bonus miles	Total
Aug 19 2021	SDF - ORD Ticket # 0012195957384 <a href="#">Flight details</a>	2,171	2	319	1,595	957	2,552
Aug 15 2021	SDF - ORD Ticket # 0012195084783 <a href="#">Flight details</a>	1,749	2	437	2,185	1,311	3,496
Aug 8 2021	FCA - DFW Ticket # 0012193086706 <a href="#">Flight details</a>	2,123	2	518	2,590	1,554	4,144
Jul 20 2021	SDF - DFW Ticket # 0012186576134 <a href="#">Flight details</a>	--	--	--	--	--	--
Jul 6 2021	Buy Miles Base	--	--	--	23,000	2,300	25,300
Jul 6 2021	SDF - RNO <span>Award</span> JRTBWL <a href="#">Flight details</a>	--	--	--	-180,000	--	-180,000
Jun 21 2021	ONT - DFW Ticket # 0012182419594 <a href="#">Flight details</a>	1,922	2	536	2,680	1,608	4,288
Jun 8 2021	SDF - DFW Ticket # 0012179524179 <a href="#">Flight details</a>	1,922	2	319	1,595	957	2,552
May 27 2021	ONT - CLT Ticket # 0012177410749 <a href="#">Flight details</a>	2,579	2	658	3,290	1,974	5,264
May 16 2021	SDF - DFW Ticket # 0012174863267 <a href="#">Flight details</a>	1,922	2	299	1,495	1,196	2,691

	Description	Elite Qualifying			Award miles		
		Miles (EQMs)	Segments (EQSs)	Dollars (EQDs)	Base miles	Bonus miles	Total
May 4 2021	ONT - DFW Ticket # 0012172195660 <a href="#">Flight details</a>	1,922	2	366	1,830	1,464	3,294
Apr 17 2021	SDF - DFW Ticket # 0012168466072 <a href="#">Flight details</a>	1,922	2	319	1,595	1,276	2,871
Apr 10 2021	ONT - DFW Ticket # 0012167310425 <a href="#">Flight details</a>	1,922	2	647	3,235	2,588	5,823
Mar 24 2021	SDF - DFW Ticket # 0012163935031 <a href="#">Flight details</a>	733	1	179	895	716	1,611
Mar 24 2021	DFW - ONT Ticket # 0012164135432 <a href="#">Flight details</a>	1,189	1	278	1,390	1,112	2,502
Mar 17 2021	ONT - DFW Ticket # 0012162492222 <a href="#">Flight details</a>	1,189	1	194	970	776	1,746
Mar 17 2021	DFW - LEX Ticket # 0012162789400 <a href="#">Flight details</a>	785	1	157	785	628	1,413
Feb 21 2021	ONT - DFW Ticket # 0012157996182 <a href="#">Flight details</a>	1,922	2	576	2,880	2,304	5,184
Feb 2 2021	DEN - DFW Ticket # 0017616376823 <a href="#">Flight details</a>	1,376	2	239	1,195	717	1,912
Jan 28 2021	ONT - DFW Ticket # 0012154479980 <a href="#">Flight details</a>	1,922	2	310	1,550	930	2,480

	Description	Elite Qualifying			Award miles		
		Miles (EQMs)	Segments (EQSs)	Dollars (EQDs)	Base miles	Bonus miles	Total
Jan 8 2021	ADJBN	9,554	10	1,575	--	--	--
Dec 16 2020	ONT - DFW Ticket # 0012149375445 <a href="#">✎ Flight details</a>	1,922	2	289	1,445	867	2,312
Nov 22 2020	ONT - DFW Ticket # 0012146907257 <a href="#">✎ Flight details</a>	1,922	2	289	1,445	867	2,312
Oct 29 2020	FAT - DFW Ticket # 0012144341214 <a href="#">✎ Flight details</a>	2,046	2	347	1,735	1,041	2,776
Oct 7 2020	SDF - CLT Ticket # 0012141591998 <a href="#">✎ Flight details</a>	3,664	4	650	3,250	1,300	4,550
Aug 5 2020	SDF - DFW Ticket # 0012134510005 <a href="#">✎ Flight details</a>	733	1	167	835	334	1,169

Transactions may take up to 2 weeks to post.

Showing 28 of 28

<b>Help</b> <a href="#">Contact American</a> <a href="#">Receipts and refunds</a> <a href="#">FAQs</a> <a href="#">Agency reference</a> <a href="#">Cargo </a> <a href="#">Bag and optional fees</a>	<b>About American</b> <a href="#">About us</a> <a href="#">We're hiring! Join our team </a> <a href="#">Investor relations </a> <a href="#">Newsroom </a> <a href="#">Legal, privacy, copyright</a>	<b>Extras</b> <a href="#">Business programs</a> <a href="#">Gift cards </a> <a href="#">American Airlines credit card</a> <a href="#">Trip insurance</a>	 Earn 50,000 bonus miles. Terms apply.  <b>BuyMiles</b> Save up to 35% through January 31  <b>AVIS</b>  <b>Budget</b> Up to 35% savings plus AAdvantage® miles 
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◀ Contact Us

## Share a concern

### Have specific feedback?

JetBlue is dedicated to providing award-winning service, and we want to know if your experience was less than fly.

**Have specific feedback about your JetBlue experience?** Please use the form below. Due to unusually high volume, responses may take up to 10 days.

**Need immediate assistance?** Please [contact us](#).

Have a post-travel accessibility-related concern? Please call us at 1-800-JETBLUE (538-2583) and ask to speak with a CRO. We are unable to address accessibility issues as quickly via email.

### Your contact information

Full name

Michael Faris

Email

Michael.Faris@blueskycopters.com



Topic

Accessibility-related (Pre-travel)

Comments

I'm flying MCO-DCA on Oct. 25 and need a mask exemption because of my medical conditions. I can't find any information on your website about how request an exemption, so I'm sending it here. You really should publish in a prominent spot on your website how to demand an exemption.

1500 character limit.

Confirmation code

IDHCIX

Optional. Speeds assistance with past or recently booked travel.

☐ I'm traveling within 48 hours

Send email

Need help?

Search for answers



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Join our email list



Download the JetBlue mobile app



Submit website feedback ▶



**From:** JetBlue Reservations <jetblueairways@email.jetblue.com>  
**Date:** October 22, 2021 at 9:20:12 AM EDT  
**To:** michael.faris@blueskycopters.com  
**Subject:** Your itinerary has been cancelled.  
**Reply-To:** JetBlue Reservations <reply@email.jetblue.com>

Thanks again for choosing JetBlue.



## Plans change. Our gratitude doesn't.

Thanks again for booking with JetBlue. We look forward to welcoming you on board when you're ready.

Please note: This is not your boarding pass.

Your confirmation code is

**IDHCIX**

### Flights

#### MCO

Orlando, FL  
Terminal: A

#### DCA

Washington, DC

<b>Date</b>	Mon, Oct 25
<b>Departs</b>	12:57pm
<b>Arrives</b>	3:06pm
<b>Flight</b>	2224





## Traveler Details

ANGELA BYRD

Frequent Flier: N/A

**MCO - DCA:**

Bags: Please check the manage trip section on [jetblue.com](https://jetblue.com) for bag info.

Seat: N/A

ERIC CILA

Frequent Flier: N/A

**MCO - DCA:**

Bags: Please check the manage trip section on [jetblue.com](https://jetblue.com) for bag info.

Seat: N/A

SHANNON CILA

Frequent Flier: N/A

**MCO - DCA:**

Bags: Please check the manage trip section on [jetblue.com](https://jetblue.com) for bag info.

Seat: N/A

MICHAEL FARIS

Frequent Flier: N/A

**MCO - DCA:**

Bags: Please check the manage trip section on [jetblue.com](https://jetblue.com) for bag info.

Seat: N/A

TONY EADES

Frequent Flier: N/A

**MCO - DCA:**

Bags: Please check the manage trip section on [jetblue.com](https://jetblue.com) for bag info.

## Share a concern

### Have specific feedback?

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**Need immediate assistance?** Please [contact us](#).

Have a post-travel accessibility-related concern? Please call us at 1-800-JETBLUE (538-2583) and ask to speak with a CRO. We are unable to address accessibility issues as quickly via email.

### Your contact information

Full name

Michael Faris

Email

michael.faris@blueskycopters.com

Topic

Something else

Comments

I received an e-mail that I canceled my flight, but I did not cancel it. Reinstate the ticket. You can't cancel my ticket because I requested a mask exemption. This is illegal retaliation under the Air Carrier Access Act.

1500 character limit.

Confirmation code

IDHCIX

Optional. Speeds assistance with past or recently booked travel.

☐ I'm traveling within 48 hours

Send email

Need help?

Search for answers



Get To Know Us

Policies

JetBlue In Action

Stay Connected



Join our email list



Download the JetBlue mobile app



Submit website feedback ▶

## Involuntarily Cancellation of IDHCIX Michael Faris

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From: Lucas Wall (lucas.wall@yahoo.com)

To: specialservicerequest@jetblue.com

Cc: michael.faris@blueskycopters.com; roy.goldberg@stinson.com; robert@torricellalaw.com; maurice@torricellalaw.com

Date: Monday, October 25, 2021, 01:46 AM EDT

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Dear JetBlue:

I write on behalf of Michael Faris in response to your Oct. 22 e-mail informing him that his ticket was involuntarily canceled. It appears you have been placed Mr. Faris on JetBlue's no-fly list because he requested a mask exemption. However, you provided no explanation for this decision and haven't responded to Mr. Faris' complaint filed Oct. 22. Documentation of his complaint is attached.

1. Your action constitutes illegal retaliation under the Air Carrier Access Act for Mr. Faris demanding a mask exemption. "You must not take any adverse action against an individual (e.g., refusing to provide transportation) because the individual asserts, on his or her own behalf or through or on behalf of others, rights protected by this part or the Air Carrier Access Act." 14 CFR § 382.11(a)(4).

2. You are advised that under the federal law prohibiting any corporation and/or its employees from conspiring to interfere with the civil rights of the disabled, JetBlue as a company and any staff members in your corporate security department who participated in this decision to cancel Mr. Faris' ticket without his consent because he asked for a mask exception may be sued and found liable for potentially millions of dollars in damages to Mr. Faris and all other disabled people you have denied mask exemptions to and/or illegally retaliated against for exercising rights under the Air Carrier Access Act. 42 USC § 1985.

3. Please also be aware that any employees participating in the decision to cancel Mr. Faris' ticket may be held personally liable for neglecting to prevent interference with the civil rights of disabled passengers. 42 USC § 1986.

Please respond whether you have placed Mr. Faris on your no-fly list and provide an explanation for this decision.

We expect JetBlue to immediately change its mask policies to come into compliance with federal and international law. We also expect JetBlue will immediately remove Mr. Faris from its no-fly list for asserting his rights under the Air Carrier Access Act. Failure to take prompt action will potentially result in us adding Mr. Faris as a plaintiff in the lawsuit against JetBlue captioned Wall v. Southwest Airlines and filing a motion with the U.S. District Court in Orlando for JetBlue to be sanctioned and/or held in contempt of court for retaliating against Mr. Faris for asking for a mask exemption.

We look forward to your prompt response.

Yours truly,

Lucas Wall



Michael F Cx.pdf  
353.1kB

## Response from the JetBlue Executive Offices Case: 88699

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**From:** Michael Faris <michaelfaris@me.com>  
**Date:** November 13, 2021 at 6:41:45 AM EST  
**To:** specialservicerequest@jetblue.com  
**Subject: Re: Response from the JetBlue Executive Offices Case: 88699**

It's not a law. This is total misrepresentation of law. Congress has never passed any such "law". All of you are failing the free people of this country. You're not even truly worried about travelers who may actually have Covid. What about your "do not board" procedures.

All you're worried about it making sure people comply, wether it's beneficial or not. Such demonic behavior from companies that accepted tax payer money to stay afloat. You're the worst kind of scandalous thieves.

*Michael Faris  
H-60 MX Supervisor  
Bluesky Helicopters  
2015 McKinley Ave Ste.F4  
Laverne, CA 91750  
270-723-4944*

On Nov 12, 2021, at 10:47 PM, specialservicerequest@jetblue.com wrote:

Dear Mr. Faris,

Thank you for contacting JetBlue. The concern you sent to the Department of Transportation (DOT) has been received by JetBlue's Executive Offices and we appreciate



the opportunity to respond.

We appreciate you taking the time to share with us your concerns on behalf of another customer. For privacy and security purposes, although we cannot discuss another customer and their reservation when security verifiers have not been provided, we will be pleased to pass along the information we can share in order to assist with your concerns.

We sincerely apologize to hear you feel there was any discrimination against yourself or any other customer. We do not tolerate any form of discrimination; in fact, we are a widely diverse company and we are sorry to hear you feel otherwise.

Federal law requires masks to be worn by all travelers 2 years and older at all times throughout the flight including during boarding and deplaning, and in the airport. Any individual who fails to comply with this law may be subject to denied boarding, removal from the aircraft, and/or penalties under federal law. Visit <https://www.jetblue.com/travel-alerts> and [www.jetblue.com/safety](https://www.jetblue.com/safety) for more details.

Because you mention a possible disability, we will be pleased to share the following information as well. Customers with disabilities who cannot safely wear a mask because of a permanent disability as defined by the Americans with Disabilities Act (ADA), may contact us via phone or chat to apply for an exemption from this requirement. Exemptions will be limited on board each flight and will require specific documentation submitted no less than five (5) days in advance of travel.

For those customers who are permitted an exemption, they must provide printed or digital copies of submitted documentation and proof of negative PCR COVID-19 test results. Additionally, they will be required to wear a face shield in place of the mask at all times, including at the airport, during the flight including boarding and deplaning.

We extend our sincere best wishes to you and can assure you your concerns have been shared with the appropriate leadership teams who will use your feedback to make any necessary improvements.

You are a valued customer and we hope to welcome you back soon for your future travel.

Kind regards,

Debbie H  
JetBlue | Customer Support  
Executive Offices



# Thanks for flying with us!

✓  
Price✓  
Payment✓  
Confirmation

## ✔ Your flight is booked!

We're sending you a confirmation email to the address below. If the email hasn't arrived in 2 minutes, check your junk or spam folder.

### Trip summary

[Print](#)

#### ✈ Flight

CONFIRMATION #

**4ANM3D**

OCT 24

**SDF ✈ MCO**

FLIGHT TOTAL

**\$626.94**

#### 🚗 Add a car



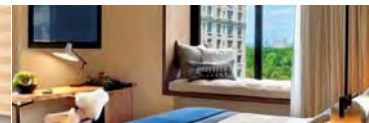
Book now. Pay later!

**From \$51.29\*/day in  
Orlando**

\*Taxes and fees excl. Terms apply.

[Book now](#)

#### Add a hotel



The perfect stay is moments away

DESTINATION/HOTEL NAME:

CHECK-IN

CHECK-OUT

[Search](#)

## Earn 40,000 points.

Plus, earn 3X points per \$1 spent on dining  
purchases for 12 months.

\$69 annual fee.

[Learn more >](#)

- 3,000 anniversary points every year
- 2X points on Southwest® purchases
- 1X points on all other purchases
- Your Rapid Rewards® points never expire

## 10/24 - Orlando

**Who's coming with me?**

Let your friends and family know you're traveling!

[Share on Facebook!](#)

OCT 24

**Louisville, KY to Orlando, FL****Confirmation # 4ANM3D**

PASSENGERS

EST. POINTS











EXTRAS

FARE

**Eric Cila****+ 2,172<sup>PTS</sup>**

—

**Business Select®**[Rapid Rewards® number >](#)[Add Known Traveler # / Redress # >](#)

PASSENGERS	EST. POINTS	EXTRAS	FARE
<a href="#">Special Assistance</a> >			
<b>Shannon Greer Cila</b> <a href="#">Rapid Rewards® number</a> > <a href="#">Add Known Traveler # / Redress #</a> > <a href="#">Special Assistance</a> >	+ 2,172 <sup>PTS</sup>	—	Business Select®
<b>Michael Faris</b> <a href="#">Rapid Rewards® number</a> > <a href="#">Add Known Traveler # / Redress #</a> > <a href="#">Special Assistance</a> >	+ 2,172 <sup>PTS</sup>	—	Business Select®
<div> <div>  <b>Transparency®: Defined</b>  Low fares. Nothing to hide.  </div> <div>  <b>Change fees don't fly with us</b>  Flexibility for your travel plans. </div> <div>  <b>Pack with care</b>  Guidelines for carryon luggage. </div> </div>			
<b>Departing</b> 10/24/21 Sunday			<b>Business Select®</b> (Passenger x3)
<div> <div>  DEPARTS </div> <div> <b>6:40</b> AM </div> <div> <b>SDF</b>  Louisville, KY - SDF </div> <div> FLIGHT  <b>4320</b>   </div> <div> SCHEDULED AIRCRAFT  Boeing 737-800  <i>Subject to change</i> </div> </div>			
<div> <div>  ARRIVES </div> <div> <b>8:45</b> AM </div> <div> <b>MCO</b>  Orlando, FL - MCO </div> <div> TRAVEL TIME  2hr 5min </div> </div>			SUBTOTAL <b>\$543.00</b>
			<b>Taxes &amp; fees</b>
			\$83.94
<b>Flight total</b>			<b>\$626.94</b>
<b>Icon legend</b>  WiFi available  Live TV available			
<b>Helpful Information:</b> <ul style="list-style-type: none"> <li>• Please read the <a href="#">fare rules</a> associated with this purchase.</li> <li>• When booking with Rapid Rewards® points, your points balance may not immediately update in your account..</li> </ul>			

Book your hotel with us and save up to 10% on your stay.



The perfect stay is moments away

DESTINATION/HOTEL NAME:

Orlando

CHECK-IN

10/24/2021



CHECK-OUT

10/26/2021



ROOMS

1

ADULTS

1

CHILDREN

0

Search 

## Rapid Rewards®

Seek adventure, get rewarded.

- ✓ Unlimited reward seats
- ✓ No blackout dates
- ✓ Your points don't expire

Enroll now, it's free!

Points don't expire as long as you have flight-earning or partner-earning activity every 24 months. All Rapid Rewards rules and regulations apply.

## Payment summary

### PAYMENT INFORMATION

### AMOUNT PAID



Visa 8403

XXXXXXXXXXXX8403

Expiration: 9/22

\$626.94

## Total charged

You're all set for your upcoming trip.

Get ready to enjoy two bags for the price of none\*, no fees to change your flight\*\*, and some Southwest® love.

\*First and second checked bags. Weight and size limits apply. \*\*Fare difference may apply.



SUBTOTAL

\$543.00

TAXES & FEES

\$83.94

TOTAL DOLLARS

\$626.94

[Show price breakdown](#)

## Save up to 30% off

Earn up to 2400 Rapid Rewards® points.



Book now >

Before you travel, don't forget:



Wear personal face coverings

Download mobile boarding passes

Agree to health declaration

Contact Us (https://www.southwest.com/contact-us/contact-us.html?src=c360) > Email Us

## Comment/Question

### Disability - Future Travel Assistance

Do you have a disability-related question about your upcoming travel plans? Please share the details below, and we'll get back with you as soon as possible.

If this is regarding a past travel experience, please select one of the other applicable "Disability" sub categories so that your question or comment is directed to the appropriate personnel.

\* (REQUIRED) ADD A DESCRIPTION

I require a mask exemption

24/4 character(s) remaining.

☐ I do not need a response

🔗 Southwest Mask Request Michael.pdf ×

ADD ATTACHMENT (OPTIONAL)

📎 Upload Files

Maximum file size of the each attachment is 100MB

For your security, please do not enter personal information such as a credit card number or your date of birth unless date of birth is specifically requested on the form. You will receive an email acknowledging Southwest's receipt of the information you submitted and a case number for your reference. We accept common file types like jpg, jpeg, png, gif, doc, docx, xls, pdf, xlsx, and txt (max. per file: 100 MB / max. total: 500 MB and 5 files).

✓ Flight Information

(JavaScript:Void(0);)

\* (REQUIRED) FLIGHT / EVENT DATE

Oct 18, 2021



\* (REQUIRED) AIRPORT

MCO

Orlando, FL - MCO

\* (REQUIRED) FLIGHT NUMBER

1910

\* (REQUIRED) CONFIRMATION NUMBER

4DPPAQ

\* (REQUIRED) ORIGIN CITY

MCO

Orlando, FL - MCO

\* (REQUIRED) DESTINATION CITY

DCA

Washington (Reagan National), DC - DCA

Contact Information

\* (REQUIRED) FIRST NAME

Michael

\* (REQUIRED) LAST NAME

Faris

\* (REQUIRED) EMAIL

Michael.Faris@blueskycopters.com

PHONE NUMBER

RAPID REWARDS ACCOUNT NUMBER

> [Your Address \(Optional\)](#)

(JavaScript:Void(0);)

Go Back

Submit

[Privacy](#) - [Terms](#)

# Passenger Application for Exemption to Federal Mask Requirement on Southwest Airlines

Please complete the information below and submit to Southwest Airlines for review of a mask exception application. You are submitting the information below and as outlined in this Application for Exemption in order for Southwest to evaluate and process your request for an exemption from the federal mask mandate while flying with Southwest Airlines. Southwest Airlines may share this information with a third-party medical provider, the CDC and other government authorities, and our agents, vendors, and service providers for purposes of managing and fulfilling your travel reservations and assisting Southwest Airlines with the evaluation and processing of your application for an exemption.

Please check the box below that applies:

- XX • I am completing this form for myself.
- I am completing this form for the minor named herein. I am either the parent or guardian of the minor child and have the authority to and, by completing this form, hereby attest to the information provided below.

Passenger First Name: Michael

Passenger Middle Initial: \_\_\_\_\_

Passenger Last Name: Faris

Contact Email address: Michael.Faris@blueskycopters.com

Contact Phone number: \_\_\_\_\_

Reason for Mask Exception Request:

I am unable to wear a mask due to my medical conditions.

\_\_\_\_\_

\_\_\_\_\_

Is flight already booked? Yes XX No \_\_\_\_\_

If flight is already booked, please include the following information:

Date(s) of Travel: 10-18-21

City Pair: MCO-DCA

Confirmation Number (if flight already booked): 4DPPAQ

Does Passenger possess a WN Employee ID? No

If Passenger possesses a WN Employee ID, please include the following information:

WN Employee ID of Traveling Passenger: N/A

By submitting this request and signing below, I [name of passenger or authorized representative] [on behalf of \_\_\_\_\_] have read and understand the disclosures and requirements included above pertaining to my application to receive an exemption from the federal requirement to wear a mask while flying on Southwest Airlines, including, without limitation, Southwest's collection, use, and sharing of information.

/s/ Michael Faris

\_\_\_\_\_  
Passenger Signature or Signature of Passenger Parent or Guardian

Michael Faris

\_\_\_\_\_  
Printed Name of Passenger or Parent or Guardian

Date: 10-16-21



# Customers with Disabilities

## Notice of Disability

## Assistance in the Airport

## Security Screening

## Wheelchairs & Other Devices

## Allergies

## Cognitive Disabilities

## Deaf or Hard of Hearing

## Blind Or Low Vision

## Medication

## Trained Service Animals

## Medical Oxygen

## Portable Oxygen Concentrators

## Non-Passenger Escort

## Mask Exemptions

## Your Rights

## Exemption to Federal Mask Requirement on Southwest Airlines

\* 1

Federal law requires each person, 2 years of age and older, to wear a mask at all times throughout the flight, including during boarding and deplaning. Refusing to wear a mask is a violation of federal law and may result in denial of boarding, removal from the aircraft, and/or penalties under federal law.

Southwest Airlines will consider applications for exemptions from this mask requirement from Passengers with a disability who cannot wear a mask, or who cannot safely wear a mask because of the disability.

\* 2

Per guidance from the U.S. Department of Transportation, airlines are permitted to impose certain requirements or conditions on a person requesting an exemption from the mask requirement.

Please comply with the following pre-travel steps:

\* 3

At least seven (7) days prior to the Passenger's planned date of travel, a Passenger requesting a mask exemption for travel on Southwest Airlines must complete and submit the following via [Southwest.com](#)>[Contact Us](#)>[Send a Message](#).>[Email Us: Comment/Question](#)>[Disability](#)>[Future Travel Assistance](#):

1. A fully completed copy of [this form](#) executed by the Passenger making the request, or if the Passenger requesting a mask exemption is a minor child, the parent or guardian of such minor child; and

\* 4

2. A signed letter from the requesting Passenger's Medical Physician on the Physician's letterhead stating that the Passenger with a disability has a recognized medical condition precluding the wearing or safe wearing of a mask because of their disability.

\* 5

Once Southwest Airlines receives a mask exemption application in line with the above criteria, at Southwest's request to Passenger, Passenger may undergo a private medical screening (over the phone) with a third-party medical provider (Southwest Airlines' vendor StatMD).

\* 6 \* 7

If Southwest preliminarily approves a mask exemption after reviewing the Passenger's PDF document and the Medical Physician's letter and after receiving the third party medical provider's affirmation for travel, if required, Southwest will contact you at the phone number or email address provided below to discuss any need to change your travel dates and/or flights and remind you of the need to obtain a qualifying COVID negative viral test.

No later than 24 hours prior to the Passenger's scheduled departure(s), Passenger must provide evidence of Passenger's qualifying COVID negative viral test result. A qualifying COVID negative viral test result is defined as:

A physical or electronic documentation of a qualifying COVID negative viral test taken within three (3) calendar days preceding the Passenger's scheduled date of travel. A viral test means a viral detection test for current infection, which is a nucleic acid amplification test with observation approved or authorized by the relevant national authority for the detection of SARS-CoV-2.

**Note:** Roundtrip travel will require an additional qualifying COVID negative viral test result taken within three (3) calendar days preceding the Passenger's scheduled date of return travel and submitted no later than 24 hours prior to the Passenger's scheduled departure, unless the Passenger's return flight is within three (3) calendar days of the date of the initial negative COVID-19 departure test.

\*\*\* = These 7 items are illegal and/or fraudulent misrepresentation of the law -- see attachment

**Michael Faris**  
**Mask Exemption Request to Southwest Airlines**  
**Notes on Southwest's Numerous Illegal Policies**  
**MCO-DCA Oct. 18, 2021**

1. It is a fraudulent misrepresentation to state that "federal law" requires airline passengers wear masks. Congress has never enacted any such law, nor has the Department of Transportation, Transportation Security Administration, Federal Aviation Administration, nor any other federal agency promulgated such a regulation into the Code of Federal Regulations. If you believe I am in error, please cite the statute number in the U.S. Code you refer to or the Code of Federal Regulations number.

You also haven't told your passengers of the dozens of health risks of covering our sources of oxygen or that the scientific consensus is that masks are totally worthless in reducing COVID-19 spread. See 223 scientific studies, medical articles, and videos at <https://bit.ly/masksarebad>. Failing to disclose this information pursuant to the Food, Drug, & Cosmetic Act and your other legal obligations is a fraudulent misrepresentation.

2. Airlines by federal law are NOT permitted to impose certain requirements or conditions on a person requesting an exemption from the mask requirement. "In providing air transportation, an air carrier ... may not discriminate against an otherwise qualified individual on the following grounds: (1) the individual has a physical or mental impairment that substantially limits one or more major life activities. (2) the individual has a record of such an impairment. (3) the individual is regarded as having such an impairment." 49 USC § 41705(a).
3. An airline is not allowed to require passengers seeking mask exemptions to do so in advance. "May a carrier require a passenger with a disability to provide advance notice that he or she is traveling on a flight? As a carrier, you must not require a passenger with a disability to provide advance notice of the fact that he or she is traveling on a flight." 14 CFR § 382.25.
4. An airline may not require a medical certificate from disabled passengers who ask for a mask exemption. "Except as provided in this section, you must not require a passenger with a disability to have a medical certificate as a condition for being provided transportation." 14 CFR § 382.23(a). "You may ... require a medical certificate for a passenger if he or she **has** a communicable disease or condition that could pose a direct threat to the health or safety of others on the flight." 14 CFR § 382.23(c)(1) (emphasis added). This requirement does not include speculation that a person might have a communicable disease such as COVID-19; evidence is required that the passenger **has** a communicable disease, i.e. has tested positive for the coronavirus.

Demanding a medical certificate also violates intentional law. The United States has ratified the Convention on International Civil Aviation, which makes it binding treaty law upon all persons and corporations in our country. "[P]ersons with disabilities should be permitted to travel without the requirement for a medical clearance." CICA Annex 9 § 8.39.

5. An airline may not require disabled passengers needing a mask exemption to undergo a medical screening with your third-party vendor. Since airlines may not require a medical certificate for a passenger unless he/she has a communicable disease, you may also not require a third-party medical consultation. "As a carrier, you may require that a passenger with a medical certificate undergo additional medical review by you if there is a legitimate medical reason for believing that there has been

a significant adverse change in the passenger's condition since the issuance of the medical certificate ...” 14 CFR § 382.23(d).

6. An airline may not change a disabled passenger's travel dates and/or flights. Federal law prohibits banning mask-exempt passengers from flying if a plane is more than a certain percentage full. Your policy that you may change the travel dates of a passenger with a disability if a flight is more than 75% booked is illegal discrimination as this policy does not apply to any nondisabled travelers. “As a carrier, you must not limit the number of passengers with a disability who travel on a flight.” 14 CFR § 382.17. “You must not discriminate against any qualified individual with a disability, by reason of such disability, in the provision of air transportation...” 14 CFR § 382.11(a)(1). See also 49 USC § 41705.

You also may not change the seat assignment of a mask-exempt passenger without his/her consent. You may not instruct gate agents and/or flight attendants to move a mask-exempt passenger to the back of the aircraft. “As a carrier, you must not exclude any passenger with a disability from any seat or require that a passenger with a disability sit in any particular seat, on the basis of disability, except to comply with FAA or applicable foreign government safety requirements.” 14 CFR § 382.87(a).

7. An airline may not require disabled passengers who seek a mask exemption to submit a negative COVID-19 test for each flight when nondisabled customers aren't subject to this same requirement. No provision of the Air Carrier Access Act or its accompanying regulations promulgated by DOT (nor any other law enacted by Congress) permits airlines to require passengers submit a negative test for any communicable disease. Mandating disabled flyers submit an expensive COVID-19 test before checking in but not requiring the same of nondisabled travelers is illegal discrimination. “You must not discriminate against any qualified individual with a disability, by reason of such disability, in the provision of air transportation...” 14 CFR § 382.11(a)(1). See also 49 USC § 41705.
8. An airline may not refuse transportation solely on the basis of a passenger's disability. “As a carrier, you must not refuse to provide transportation to a passenger with a disability on the basis of his or her disability, except as specifically permitted by this part.” 14 CFR § 382.19(a).
9. Recipients of federal funds including airlines are prohibited from discriminating against the disabled. “No otherwise qualified individual with a disability in the United States ... shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance...” 29 USC § 794(a).
10. Requiring Passengers Not Known to Have a Communicable Disease to Wear a Face Covering: Federal law bans airlines from requiring passengers who do not have a communicable disease to don a face mask. The ACAA, 49 USC § 41705, and its accompanying regulations, 14 CFR Part 382, spell out specific procedures for dealing with airline passengers who are known to have a communicable disease. Your mask policy violates these regulations by assuming that every passenger has a communicable disease such as COVID-19.

Airlines are prohibited from requiring that a passenger wear a face covering or refuse him/her transportation unless they determine that the passenger “has” a communicable disease and poses a “direct threat” to other passengers and the flight crew. 14 CFR § 382.23(c)(1). Your rules illegally assume every single traveler is infected with COVID-19. This violates the regulation that “In determining whether an individual poses a direct threat, you must make an individualized assessment.” 14 CFR § 382.19(c)(1). Your mask policy doesn't provide for making an “individualized assessment” of whether

someone is known to have COVID-19 or another communicable disease. According to DOT, “If a person who seeks passage has an infection or disease that would be transmittable during the normal course of a flight, and that has been deemed so by a federal public health authority knowledgeable about the disease or infection, then the carrier may: ... Impose on the person a condition or requirement not imposed on other passengers (e.g., wearing a mask).” This is the only scenario airlines are permitted to force any passenger to don a face covering.

11. “You must not take any adverse action against an individual (e.g., refusing to provide transportation) because the individual asserts, on his or her own behalf or through or on behalf of others, rights protected by this part or the Air Carrier Access Act.” 14 CFR § 382.11(a)(4).
12. You are prohibited by federal regulations from forcing a disabled passenger to disclose his/her medical conditions. “May I ask an individual what his or her disability is? Only to determine if a passenger is entitled to a particular seating accommodation pursuant to section 382.38. Generally, you may not make inquiries about an individual’s disability or the nature or severity of the disability,” according to DOT. Your mask policy constitutes invasion of privacy, which is illegal.
13. Refusing Transportation to Disabled Passengers Who Are Healthy & Don’t Pose a Direct Threat to Anyone: Airlines may not refuse to transport a disabled person who can’t wear a face mask when there’s no evidence that person is positive for COVID-19 or any other communicable disease.”[Y]ou must not refuse transportation to the passenger if you can protect the health and safety of others by means short of a refusal.” 14 CFR § 382.19(c)(2).
14. Breach of Contract: I did not agree to wear a face mask when I bought my ticket. Any mask provisions in your Contract of Carriage are invalid as they violate federal law and international treaties.
15. Forcing Passengers to Wear Masks in Violation of the Food, Drug, & Cosmetic Act that Are Experimental Medical Devices Proven to Harm Human Health: You are violating the FDCA by not giving passengers our legal option to refuse administration of an Food & Drug Administration unauthorized or Emergency Use Authorization medical device (a face mask). 21 USC § 360bbb-3(e)(1)(A)(ii)(III).  
You provide FDA unauthorized or Emergency Use Authorization face masks without disclosing that: 1) the masks (if authorized at all) are only designated for emergency use; 2) that there are “significant known and potential benefits and risks of such use” (or “the extent to which such benefits and risks are unknown”); or 3) flyers have the “option to accept or refuse administration of the product.” 21 USC § 360bbb-3. This constitutes reckless endangerment.
16. Practicing Medicine without a License: You are prescribing all passengers to wear FDA unauthorized or EUA medical devices, but you do not have a license to practice medicine. Practicing medicine without a license is illegal in every state.
17. Deceptive & Misleading Trade Practices: You are deceiving your customers regarding mask rules, efficacy, and harms, and attempt to mislead us into believing face coverings are good for our health when the reality is they cause dozens of harm and create havoc in the sky due to oxygen deprivation. “Intent is not an element of either unfairness or deception,” according to DOT. 85 Fed. Reg. 78,707 (Dec. 7, 2020). However, it’s clear you have an intent to deceive passengers that face masks are effective in reducing COVID-19 spread, are authorized by FDA, etc. You clearly mislead customers that masks may be forced on passengers without their consent in violation of the Food, Drug, & Cosmetic Act.

DOT defines an unfair trade practice by airlines as “demonstrating that the harm to consumers is (1) substantial; (2) not reasonably avoidable; and (3) not outweighed by offsetting benefits to consumers or competition.” DOT defines a practice as “deceptive” by showing that: “(1) The practice actually misleads or is likely to mislead consumers; (2) who are acting reasonably under the circumstances; (3) with respect to a material matter.” 14 CFR § 399.79. Airlines have a statutory duty not to deceive and mislead their customers. 49 USC § 41712.

18. Nuisance: You deprive passengers who can't or won't wear masks of our statutory right to use the public airspace. “A citizen of the United States has a public right of transit through the navigable air-space. To further that right, the Secretary of Transportation shall consult with the Architectural and Transportation Barriers Compliance Board established under section 502 of the Rehabilitation Act of 1973 (29 U.S.C. 792) before prescribing a regulation or issuing an order or procedure that will have a significant impact on the accessibility of commercial airports or commercial air transportation for handicapped individuals.” 49 USC § 40103(a)(2). A public nuisance is when a person or corporation unreasonably interferes with a right that the general public shares in common.
19. Infringement on the Constitutional Right to Travel: You deprive disabled Americans and those who refuse to wear masks for health reasons of the ability to fly. In many cases, such as traveling from noncontinental states and territories to other states and territories, as well as going overseas, commercial airplanes are the only means of transportation. The Constitution protects against Americans' infringement on our freedom of movement by government actors and common carriers.
20. Violation of International Covenant on Civil & Political Rights: You require passengers to wear masks without giving our free consent, deprive us of our freedom to travel for not wanting to obstruct our breathing, curtail the liberty of movement, prevent us from entering or exiting our country of citizenship, and unlawfully interfere with our privacy. The United States has ratified the International Covenant on Civil & Political Rights, which makes it binding treaty law upon all persons and corporations in our country.

“[N]o one shall be subjected without his free consent to medical or scientific experimentation.” ICCPR Art. 7. “No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.” ICCPR Art. 9. “1. Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement ... 2. Everyone shall be free to leave any country, including his own. 3. The above-mentioned rights shall not be subject to any restrictions except those which are provided by law... 4. No one shall be arbitrarily deprived of the right to enter his own country.” ICCPR Art. 12. “1. No one shall be subjected to arbitrary or unlawful interference with his privacy ... 2. Everyone has the right to the protection of the law against such interference or attacks.” ICCPR Art. 17.



Contact Us (https://www.southwest.com/contact-us/contact-us.html?src=c360) > Email Us

## Comment/Question

### Disability - Future Travel Assistance

Do you have a disability-related question about your upcoming travel plans? Please share the details below, and we'll get back with you as soon as possible.

If this is regarding a past travel experience, please select one of the other applicable "Disability" sub categories so that your question or comment is directed to the appropriate personnel.

\* (REQUIRED) ADD A DESCRIPTION

I require a mask exemption

24/4 character(s) remaining.

☐ I do not need a response

Southwest Mask Request Michael.pdf ×

ADD ATTACHMENT (OPTIONAL)

Upload Files

Maximum file size of the each attachment is 100MB

For your security, please do not enter personal information such as a credit card number or your date of birth unless date of birth is specifically requested on the form. You will receive an email acknowledging Southwest's receipt of the information you submitted and a case number for your reference. We accept common file types like jpg, jpeg, png, gif, doc, docx, xls, pdf, xlsx, and txt (max. per file: 100 MB / max. total: 500 MB and 5 files).

#### ✓ Flight Information

(JavaScript:Void(0);)

\* (REQUIRED) FLIGHT / EVENT DATE

Oct 24, 2021



\* (REQUIRED) AIRPORT

SDF

Louisville, KY - SDF

\* (REQUIRED) FLIGHT NUMBER

4320

\* (REQUIRED) CONFIRMATION NUMBER

4ANM3D

\* (REQUIRED) ORIGIN CITY

SDF

Louisville, KY - SDF

\* (REQUIRED) DESTINATION CITY

MCO

Orlando, FL - MCO

## Contact Information

\* (REQUIRED) FIRST NAME

Michael

\* (REQUIRED) LAST NAME

Faris

\* (REQUIRED) EMAIL

Michael.Faris@blueskycopters.com

PHONE NUMBER

RAPID REWARDS ACCOUNT NUMBER

> [Your Address \(Optional\)](#)

(JavaScript:Void(0);)

[Go Back](#)

[Submit](#)

[Privacy](#) - [Terms](#)

# Passenger Application for Exemption to Federal Mask Requirement on Southwest Airlines

Please complete the information below and submit to Southwest Airlines for review of a mask exception application. You are submitting the information below and as outlined in this Application for Exemption in order for Southwest to evaluate and process your request for an exemption from the federal mask mandate while flying with Southwest Airlines. Southwest Airlines may share this information with a third-party medical provider, the CDC and other government authorities, and our agents, vendors, and service providers for purposes of managing and fulfilling your travel reservations and assisting Southwest Airlines with the evaluation and processing of your application for an exemption.

Please check the box below that applies:

- XX • I am completing this form for myself.
- I am completing this form for the minor named herein. I am either the parent or guardian of the minor child and have the authority to and, by completing this form, hereby attest to the information provided below.

Passenger First Name: Michael

Passenger Middle Initial: \_\_\_\_\_

Passenger Last Name: Faris

Contact Email address: Michael.Faris@blueskycopters.com

Contact Phone number: \_\_\_\_\_

Reason for Mask Exception Request:

I am unable to wear a mask due to my medical conditions.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Is flight already booked? Yes XX No \_\_\_\_\_

If flight is already booked, please include the following information:

Date(s) of Travel: 10-24-21

City Pair: SDF-MCO



Confirmation Number (if flight already booked): 4ANM3D

Does Passenger possess a WN Employee ID? No

If Passenger possesses a WN Employee ID, please include the following information:

WN Employee ID of Traveling Passenger: N/A

By submitting this request and signing below, I [name of passenger or authorized representative] [on behalf of \_\_\_\_\_] have read and understand the disclosures and requirements included above pertaining to my application to receive an exemption from the federal requirement to wear a mask while flying on Southwest Airlines, including, without limitation, Southwest's collection, use, and sharing of information.

/s/ Michael Faris

\_\_\_\_\_  
Passenger Signature or Signature of Passenger Parent or Guardian

Michael Faris

\_\_\_\_\_  
Printed Name of Passenger or Parent or Guardian

Date: 10-16-21

# Customers with Disabilities

## Notice of Disability

## Assistance in the Airport

## Security Screening

## Wheelchairs & Other Devices

## Allergies

## Cognitive Disabilities

## Deaf or Hard of Hearing

## Blind Or Low Vision

## Medication

## Trained Service Animals

## Medical Oxygen

## Portable Oxygen Concentrators

## Non-Passenger Escort

## Mask Exemptions

## Your Rights

## Exemption to Federal Mask Requirement on Southwest Airlines

\* 1

Federal law requires each person, 2 years of age and older, to wear a mask at all times throughout the flight, including during boarding and deplaning. Refusing to wear a mask is a violation of federal law and may result in denial of boarding, removal from the aircraft, and/or penalties under federal law.

Southwest Airlines will consider applications for exemptions from this mask requirement from Passengers with a disability who cannot wear a mask, or who cannot safely wear a mask because of the disability.

\* 2

Per guidance from the U.S. Department of Transportation, airlines are permitted to impose certain requirements or conditions on a person requesting an exemption from the mask requirement.

Please comply with the following pre-travel steps:

\* 3

At least seven (7) days prior to the Passenger's planned date of travel, a Passenger requesting a mask exemption for travel on Southwest Airlines must complete and submit the following via [Southwest.com](#)>Contact Us>Send a Message.>Email Us: Comment/Question>Disability>Future Travel Assistance:

1. A fully completed copy of [this form](#) executed by the Passenger making the request, or if the Passenger requesting a mask exemption is a minor child, the parent or guardian of such minor child; and

\* 4

2. A signed letter from the requesting Passenger's Medical Physician on the Physician's letterhead stating that the Passenger with a disability has a recognized medical condition precluding the wearing or safe wearing of a mask because of their disability.

\* 5

Once Southwest Airlines receives a mask exemption application in line with the above criteria, at Southwest's request to Passenger, Passenger may undergo a private medical screening (over the phone) with a third-party medical provider (Southwest Airlines' vendor StatMD).

\* 6 \* 7

If Southwest preliminarily approves a mask exemption after reviewing the Passenger's PDF document and the Medical Physician's letter and after receiving the third party medical provider's affirmation for travel, if required, Southwest will contact you at the phone number or email address provided below to discuss any need to change your travel dates and/or flights and remind you of the need to obtain a qualifying COVID negative viral test.

No later than 24 hours prior to the Passenger's scheduled departure(s), Passenger must provide evidence of Passenger's qualifying COVID negative viral test result. A qualifying COVID negative viral test result is defined as:

A physical or electronic documentation of a qualifying COVID negative viral test taken within three (3) calendar days preceding the Passenger's scheduled date of travel. A viral test means a viral detection test for current infection, which is a nucleic acid amplification test with observation approved or authorized by the relevant national authority for the detection of SARS-CoV-2.

**Note:** Roundtrip travel will require an additional qualifying COVID negative viral test result taken within three (3) calendar days preceding the Passenger's scheduled date of return travel and submitted no later than 24 hours prior to the Passenger's scheduled departure, unless the Passenger's return flight is within three (3) calendar days of the date of the initial negative COVID-19 departure test.

\*\*\* = These 7 items are illegal and/or fraudulent misrepresentation of the law -- see attachment

**Michael Faris**  
**Mask Exemption Request to Southwest Airlines**  
**Notes on Southwest's Numerous Illegal Policies**  
**SDF-MCO Oct. 24, 2021**

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2. Airlines by federal law are NOT permitted to impose certain requirements or conditions on a person requesting an exemption from the mask requirement. "In providing air transportation, an air carrier ... may not discriminate against an otherwise qualified individual on the following grounds: (1) the individual has a physical or mental impairment that substantially limits one or more major life activities. (2) the individual has a record of such an impairment. (3) the individual is regarded as having such an impairment." 49 USC § 41705(a).
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a significant adverse change in the passenger's condition since the issuance of the medical certificate ...” 14 CFR § 382.23(d).

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19. Infringement on the Constitutional Right to Travel: You deprive disabled Americans and those who refuse to wear masks for health reasons of the ability to fly. In many cases, such as traveling from noncontinental states and territories to other states and territories, as well as going overseas, commercial airplanes are the only means of transportation. The Constitution protects against Americans' infringement on our freedom of movement by government actors and common carriers.
20. Violation of International Covenant on Civil & Political Rights: You require passengers to wear masks without giving our free consent, deprive us of our freedom to travel for not wanting to obstruct our breathing, curtail the liberty of movement, prevent us from entering or exiting our country of citizenship, and unlawfully interfere with our privacy. The United States has ratified the International Covenant on Civil & Political Rights, which makes it binding treaty law upon all persons and corporations in our country.

“[N]o one shall be subjected without his free consent to medical or scientific experimentation.” ICCPR Art. 7. “No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.” ICCPR Art. 9. “1. Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement ... 2. Everyone shall be free to leave any country, including his own. 3. The above-mentioned rights shall not be subject to any restrictions except those which are provided by law... 4. No one shall be arbitrarily deprived of the right to enter his own country.” ICCPR Art. 12. “1. No one shall be subjected to arbitrary or unlawful interference with his privacy ... 2. Everyone has the right to the protection of the law against such interference or attacks.” ICCPR Art. 17.



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www.southwest.com

Visit site

Michael Faris's 10/18 Wash. D.C. (Reagan) trip (4DPPAQ): This reservation has been canceled.

Yahoo/Inbox



Southwest Airlines <southwestairlines@ifly.southwest.com>

Sat, Oct 16 at 2:01 PM

Keep this confirmation number to apply funds toward a future reservation.  
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### You have canceled your reservation.

Depending on the fare type and the form of payment you used to purchase your ticket, you'll either receive reusable travel funds or a refund. We appreciate you, and we look forward to welcoming you back onboard soon.

OCTOBER 18  
**MCO** ✈ **DCA**  
Orlando to Wash. D.C. (Reagan)

Confirmation # **4DPPAQ**  
**PASSENGER** Michael Faris  
**RAPID REWARDS #** [Join](#) or [Log In](#)  
**TICKET #** 5261441528417  
**EXPIRATION<sup>1</sup>** October 12, 2022

Confirmation date: 10/12/2021

### Your itinerary

**Flight:** Monday, 10/18/2021 Est. Travel Time: 2h 15m [Business Select®](#)

<b>FLIGHT # 1910</b>	<b>DEPARTS</b> <b>MCO 07:40PM</b> Orlando	<b>ARRIVES</b> <b>DCA 09:55PM</b> Wash. D.C. (Reagan)
----------------------	---	---

### Payment information

#### Total cost

<b>Air - 4DPPAQ</b>	
Base Fare	\$ 157.75
U.S. Transportation Tax	\$ 11.83
U.S. 9/11 Security Fee	\$ 5.60
U.S. Flight Segment Tax	\$ 4.30
U.S. Passenger Facility Chg	\$ 4.50
<b>Total</b>	<b>\$ 183.98</b>

#### Payment

**Visa ending in 8403**  
Date: October 12, 2021  
**Payment Amount: \$183.98**  
  
**Refund to: Visa ending in 8403**  
Date: October 16, 2021  
**Refund Amount: \$183.98**

Fare Rules: If you decide to make a change to your current itinerary it may result in a fare increase. In the case you're left with travel funds from this confirmation number, you're in luck! We're happy to let you use them towards a future flight for the individual named on the ticket, as long as the new travel is completed by the expiration date.

<sup>1</sup>Your ticket number: 5261441528417

5261441528417: NONTRANSFERABLE -BG WN ORL WN WAS157.75USD157.75END ZP MCO4.30 XF MCO4.5

BLN3R8A

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\*Point Purchase Offer Terms and Conditions



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Michael Faris's 10/24 Orlando trip (4ANM3D): This reservation has been canceled.

Yahoo/Inbox



Southwest Airlines <southwestairlines@ifly.southwest.com>

To: [REDACTED]

Tue, Oct 19 at 8:26 AM

Keep this confirmation number to apply funds toward a future reservation.

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### You have canceled your reservation.

Depending on the fare type and the form of payment you used to purchase your ticket, you'll either receive reusable travel funds or a refund. We appreciate you, and we look forward to welcoming you back onboard soon.

OCTOBER 24  
SDF + MCO

Louisville to Orlando

Confirmation # **4ANM3D**

Confirmation date: 10/11/2021

**PASSENGER** Michael Faris  
**RAPID REWARDS #** [Join](#) or [Log In](#)  
**TICKET #** 5261441503191  
**EXPIRATION<sup>1</sup>** October 12, 2022

### Your itinerary

**Flight:** Sunday, 10/24/2021 Est. Travel Time: 2h 5m [Business Select®](#)

**FLIGHT #** 4320

**DEPARTS**  
**SDF 06:40AM**  
Louisville



**ARRIVES**  
**MCO 08:45AM**  
Orlando

### Payment information

#### Total cost

<b>Air - 4ANM3D</b>		
Base Fare	\$	181.00
U.S. Transportation Tax	\$	13.58
U.S. 9/11 Security Fee	\$	5.60
U.S. Flight Segment Tax	\$	4.30
U.S. Passenger Facility Chg	\$	4.50
<b>Total</b>	<b>\$</b>	<b>208.98</b>

#### Payment

**Visa ending in 8403**  
Date: October 11, 2021  
**Payment Amount: \$208.98**  
**Refund to: Travel Funds**  
Date: October 19, 2021  
**Refund Amount: \$208.98**

Your travel funds will be held under this flight's confirmation number. See fare rules below for more information.

Fare Rules: If you decide to make a change to your current itinerary it may result in a fare increase. In the case you're left with travel funds from this confirmation number, you're in luck! We're happy to let you use them towards a future flight for the individual named on the ticket, as long as the new travel is completed by the expiration date.

Your ticket number: 5261441503191

5261441503191: NONTRANSFERABLE-BGWN SDF WN ORL181.00USD181.00END ZP SDF4.30 XF SDF4.5

BLN7C8Z

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## Southwest Airlines Response to your Inquiry (Case #32943823)

---

**From:** Southwest Airlines <no-reply@southwest-communications.com>  
**Date:** October 19, 2021 at 7:49:25 AM PDT  
**To:** michael.faris@blueskycopters.com  
**Subject:** Southwest Airlines Response to your Inquiry (Case #32943823)



Dear Michael,

Southwest has received your application for an exemption to the federal mask mandate. We appreciate this opportunity to respond.

We reviewed your physician's statement and completed exemption application form. Based on guidance from our third-party medical provider, we regret to inform you that you do not qualify for an exemption. As such, we cannot transport you at this time if you are unable to wear a mask. We regret any disappointment this may cause.

As much as anyone else, we are eager for things to get back to “normal,” and we ask for your patience as we all work together to get there. Your business is important to us, and we will always consider it a privilege to welcome you onboard each time you grant us that opportunity.

Sincerely,

Ken Mikels  
Southwest Airlines

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ref:\_00Df43k1z.\_5005Gr8dAu:ref



## Sorry, we found some errors...

We are unable to locate your reservation in our system, potentially because it has been cancelled. If you continue to have difficulties, please contact a Southwest Airlines Customer Representative for assistance at 1-800-FLY-SWA (1-800-435-9792).

[Error details](#)

Error detail 1: iiYtaEE-Q\_GJ3ANOEspHA : 43d9e80d-f65f-4afd-b399-7e2dd108a6b9 : 400520321

10/24/2021 - 10:14:04

# Cancel Flight Reservation

\* Required

CONFIRMATION # \*

4ANM3D

FIRST NAME \*

Michael

LAST NAME \*

Faris

Continue

A recent modeling study suggested the universal use of surgical masks in the setting of ventilation rates of aircraft might reduce infection risk from respiratory particles to **less than 1%.** \*

Source: [A 2020 modeling study from Dai and Zhao.](#)

\*Southwest requires Passengers age 2 and older to wear a face covering on board, though surgical masks (like the ones used in the study) are not required.

Contact Us (<https://www.southwest.com/contact-us/contact-us.html?src=c360>) > Email Us

# Complaint

## Disability - Policy and Procedures

We're sorry if you had a disappointing experience as a Customer with a disability while traveling with us. Please share your experience below, and our Customer Relations Department will research and respond as soon as possible.

If you are not contacting us as or on behalf of a Customer with a disability, please select ""Airport Experience"" rather than ""Disability"" so we can ensure that your concerns reach the right personnel.

\* (REQUIRED) ADD A DESCRIPTION

Dear Ken Mikels:

I write regarding Case #32943823. You sent me a form letter that "Southwest has received your applications for an exemption to the federal mask mandate. ... We reviewed your physician's statements and completed exemption application forms. Based on guidance from our third-party medical provider, we regret to inform you that your requests do not qualify for an exemption. As such, we cannot transport them at this time if they are unable to wear a mask."

Please provide the report from your third-party medical provider who evaluated my medical condition without speaking to me. Please report what date and time this medical vendor contacted my doctor. I object to your denial and expect you to follow the Air Carrier Access Act and approve my mask exemption. Your denial violates 20 laws, regulations, and treaties. I note you did not respond to any of these legal provisions I cited.


1580 character(s) remaining.

ADD ATTACHMENT (OPTIONAL)

 Upload Files

Maximum file size of the each attachment is 100MB

For your security, please do not enter personal information such as a credit card number or your date of birth unless date of birth is specifically requested on the form. You will receive an email acknowledging Southwest's receipt of the information you submitted and a case number for your reference. We accept common file types like jpg, jpeg, png, gif, doc, docx, xls, pdf, xlsx, and txt (max. per file: 100 MB / max. total: 500 MB and 5 files).

 [Flight Information \(Optional\)](#)

(JavaScript:Void(0);)

## Contact Information

Michael
---------

michael.faris@blueskycopters.com

[Go Back](#)

Submit



**> Your Address (Optional)**




```
(JavaScript:Void(0);)
```

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[GROOPER-  
CUSTOMER CONTACT US](#)

☒ Indicates external links that may not be accessible

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Contact Us (<https://www.southwest.com/contact-us/contact-us.html?src=c360>) > Email Us

## Complaint

### Disability - Policy and Procedures

We're sorry if you had a disappointing experience as a Customer with a disability while traveling with us. Please share your experience below, and our Customer Relations Department will research and respond as soon as possible.

If you are not contacting us as or on behalf of a Customer with a disability, please select ""Airport Experience"" rather than ""Disability"" so we can ensure that your concerns reach the right personnel.

\* (REQUIRED) ADD A DESCRIPTION

I write regarding my reservation 4ANM3D. I received an e-mail that you canceled my booking. Please explain why you canceled my reservation without my permission.

It is illegal under the Air Carrier Access Act to retaliate against a person who submits a mask-exemption demand. "You must not take any adverse action against an individual (e.g., refusing to provide transportation) because the individual asserts, on his or her own behalf or through or on behalf of others, rights protected by this part or the Air Carrier Access Act." 14 CFR § 382.11 (a)(4).

\*Michael Faris


1926 character(s) remaining.

ADD ATTACHMENT (OPTIONAL)

 Upload Files

Maximum file size of the each attachment is 100MB

For your security, please do not enter personal information such as a credit card number or your date of birth unless date of birth is specifically requested on the form. You will receive an email acknowledging Southwest's receipt of the information you submitted and a case number for your reference. We accept common file types like jpg, jpeg, png, gif, doc, docx, xls, pdf, xlsx, and txt (max. per file: 100 MB / max. total: 500 MB and 5 files).

 [Flight Information \(Optional\)](#)

(JavaScript:Void(0);)

### Contact Information

\*(REQUIRED) FIRST NAME

Michael

\*(REQUIRED) LAST NAME

Faris

\*(REQUIRED) EMAIL

Michael.Faris@blueskycopters.com

PHONE NUMBER

BASIC REMARKS ACCOUNT NUMBER

Go Back

Submit

> Your Address (Optional)

(JavaScript:Void(0);)

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Indicates external site. (https://www.southwest.com/html/customer-service?clk=GFOOTER-EMAIL-SIGNUP)

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## Southwest Airlines Response to your Inquiry (Case #33416833)

---

**From:** Southwest Airlines <no-reply@southwest-communications.com>  
**Date:** October 24, 2021 at 8:29:12 PM EDT  
**To:** michael.faris@blueskycopters.com  
**Subject:** Southwest Airlines Response to your Inquiry (Case #33416833)





**Dear Michael,**

Thank you for taking the time to contact Southwest Airlines. The case number for your webform submission is 33416833. You indicated that your reason for contacting us is regarding a disability-related service. Depending on the nature of your correspondence and regulatory requirements, it may take up to 30 days before you receive a response. We are dedicated to providing you with a thorough and personal response. We apologize for any inconvenience this may cause and appreciate your patience.

This is an automated note, so please do not reply to this email. If your correspondence is regarding travel scheduled within the next seven days, please call us at 1-800-435-9792, or check out our [Frequently Asked Questions](#) on Southwest.com.



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**From:** Southwest Airlines <no-reply@southwest-communications.com>  
**Date:** December 20, 2021 at 5:20:32 PM EST  
**To:** michael.faris@blueskycopters.com  
**Subject:** Southwest Airlines Response to your Inquiry (Case #32943485)



Dear Michael,

Southwest has received your application for an exemption to the federal mask mandate. I recognize that it has taken us some time to respond to your concerns due to the high Customer inquiry volumes we are experiencing, but I appreciate the opportunity to respond.

We reviewed your exemption application and, based on guidance from our third-party medical provider, we regret to inform you that you do not qualify for an exemption. As such, we cannot transport you at this time if you are unable to wear a mask. We regret any disappointment this may cause.

The Centers for Disease Control (CDC) has made clear that appropriately worn masks reduce the spread of COVID-19—particularly given the evidence of pre-symptomatic and asymptomatic transmission of COVID-19. Per Department of Transportation (DOT) regulation (14 CFR §382.21), a Passenger with a communicable disease or infection, such as COVID-19, may pose a direct threat to the health and safety of others onboard an aircraft.

With this in mind, to ensure that only qualified persons are granted exemptions to travel without a mask, the CDC Order allows airlines to impose certain requirements or conditions on a person seeking an exemption from the mask requirement. The TSA Security Directive made clear that “this is a narrow

exception" and this exemption "is not meant to cover persons for whom mask-wearing may only be difficult." As stated above, per DOT regulation (14 CFR §382.21), a passenger with a communicable disease or infection, such as COVID-19, may pose a direct threat to the health and safety of others onboard an aircraft. For this reason, Southwest is careful to approve mask exemptions only for those who meet the strict criteria set forth in the CDC Order.

Southwest is fully aware of all laws and regulations protecting passengers with disabilities. We are active in the airline industry in sharing best practices about how best to accommodate passengers with disabilities. We are not failing to comply with any of the disability-related regulations you note in your exemption request in your situation.

As much as anyone else, we are eager for things to get back to "normal," and we ask for your patience as we all work together to get there.

Sincerely,

Jen McCleskey  
Senior Specialist, Customer Advocacy

This email is being sent from a "no-reply" email address. You may follow-up with us on our website. Additionally, by law, I'm required to inform you that should you wish to pursue this matter further, you may contact the U.S. Department of Transportation.

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ref:\_00Df43k1z.\_5005Gr8cvq:ref

**From:** Southwest Airlines <no-reply@southwest-communications.com>  
**Date:** December 21, 2021 at 4:03:16 PM EST  
**To:** michael.faris@blueskycopters.com  
**Subject:** Southwest Airlines Response to your Inquiry (Case #33416833)



Dear Michael,

We received your follow-up email regarding the denial of your request for an exemption to our mask policy, and we appreciate the additional opportunity to respond.

As Ken mentioned in his previous email, your request for a mask exemption was denied due to guidance from our third-party medical provider. While we are unable to provide you with specific details regarding our evaluation of your exemption request, I regret any disappointment in this regard.

We understand you are also frustrated with our previous response with respect to your cited regulations. Allow me to explain, the Centers for Disease Control (CDC) has made clear that appropriately worn masks reduce the spread of COVID-19—particularly given the evidence of pre-symptomatic and asymptomatic transmission of COVID-19. Per Department of Transportation (DOT) regulation (14 CFR §382.21), a Passenger with a communicable disease or infection, such as COVID-19, may pose a direct threat to the health and safety of others onboard an aircraft.

With this in mind, to ensure that only qualified persons are granted exemptions to travel without a mask, the CDC Order allows airlines to impose certain requirements or conditions on a person seeking an exemption from the mask

requirement. The TSA Security Directive made clear that “this is a narrow exception” and this exemption “is not meant to cover persons for whom mask-wearing may only be difficult.” As stated above, per DOT regulation (14 CFR §382.21), a passenger with a communicable disease or infection, such as COVID-19, may pose a direct threat to the health and safety of others onboard an aircraft. For this reason, Southwest is careful to approve mask exemptions only for those who meet the strict criteria set forth in the CDC Order, and we are not failing to comply with any disability-related federal regulations by doing so.

As much as anyone else, we are eager for things to get back to “normal,” and we ask for your patience as we all work together to get there.

Sincerely,

Jen McCleskey  
Senior Specialist, Customer Advocacy  
Southwest Airlines

This email is being sent from a "no-reply" email address. If needed, you may follow-up with us on our website. Additionally, by law, I'm required to inform you that should you wish to pursue this matter further, you may contact the U.S. Department of Transportation.

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ref:\_00Df43k1z.\_5005Grjfvj:ref

Michael

Free Spirit Member

2,043 Points

Michael

2,043 Points

Free Spirit # [REDACTED]

Dashboard

Activity

Status

Offers


Upcoming Trips



Date ▾	Route	Points 	Confirmation
--------	-------	--	--------------

No reservations found

+ Add an Upcoming Trip

Statement

Period	Category	Display
 Sep 1, 2021 - Jan 11, 2022 ▾	Transactions	10 ▾

Date ▾	Description	Category	Transaction Id	Points 	SQP 
Oct 21, 2021	Los Angeles(LAX) - Louisville, KY(SDF)	Spirit Booking	PYNGML	2043 pts	255

Oct 21,  
2021

Spirit Points

Spirit Booking

1011124945

0 pts

0

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**spirit**

LOS ANGELES

LAX

FLIGHT GATE

503 57

LOUISVILLE

SDF

TERM

5

BOARDS

3:03 PM

DEPARTS

3:48 PM

ZONE

--

SEAT

See Agent

PASSENGER

Michael J. Faris

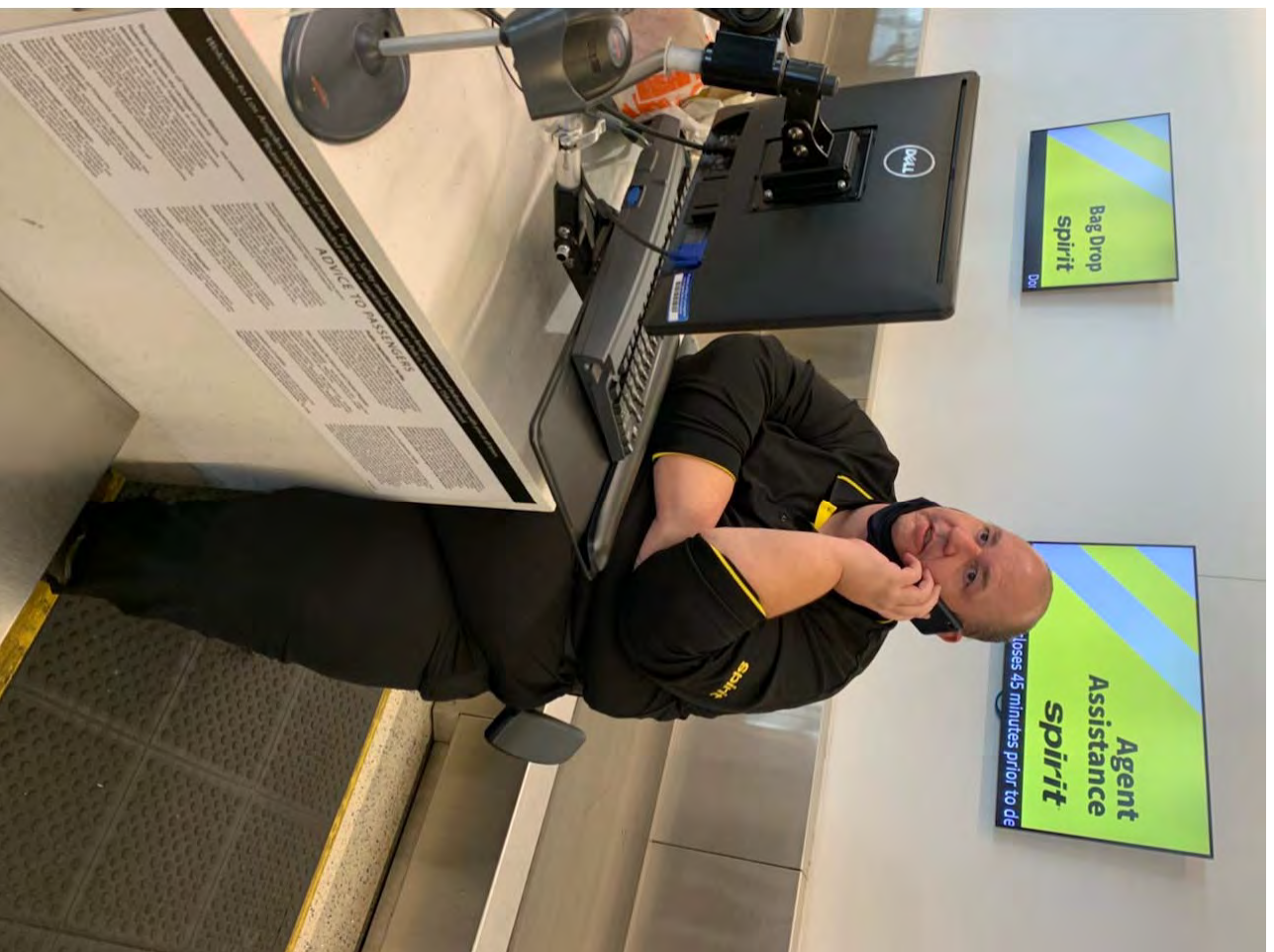
CARRY-ON

Yes

NOT A BOARDING PASS



CONF #: PYNGML





**spirit**  
airlines

Issued 10-21-2021 02:27PM

**BOARDING PASS**

Customer Name  
Faris/Michael

From  
Los Angeles  
To  
Louisville, KY

Flight  
NK 503

Seq  
096

Depart  
03:48PM

Date  
21Oct21

Arrive  
11:10PM

Conf  
PYNGML

Gate

Boarding Time

Zone

Seat

**57**

**03:03PM 1**

**7A**

\*\*SUBJECT TO CHANGE\*\*

Bags

DOORS CLOSE 15 MINUTES BEFORE DEPARTURE 0

**SSSS**

**spirit**  
airlines

**BOARDING PASS**

Customer Name  
Faris/Michael

From  
Los Angeles

To  
Louisville, KY

Flight  
NK 503

Date

21Oct21

Seat

**7A**

Conf

PYNGML

ZONE 1

**SSSS**

**Michael Faris****United Airlines Flight Log**

<u>TRIP</u>	<u>DATE</u>	<u>FLIGHT</u>
1	8/18/2020	UA Express 5234 BOI - ORD
1	8/18/2020	UA Express 5525 ORD - SDF
2	8/29/2020	UA Express 5547 SDF - ORD
2	8/29/2020	United 0283 ORD - LAX
3	9/10/2020	United 0497 LAX - ORD
3	9/11/2020	UA Express 3810 ORD - SDF
4	9/22/2020	UA Express 5534 DEN - RDM
4	9/22/2020	UA Express 5722 SDF - DEN
5	10/5/2020	UA Express 5403 DEN - SDF
5	10/5/2020	UA Express 5771 RDM - DEN
6	10/16/2020	UA Express 5531 SDF - DEN
6	10/16/2020	UA Express 5637 DEN - MFR
7	11/11/2020	UA Express 5560 SDF - DEN
7	11/11/2020	United 1616 DEN - LAX
8	12/3/2020	UA Express 5560 SDF - DEN
8	12/3/2020	United 1616 DEN - LAX
9	1/15/2021	UA Express 6094 SDF - IAH
9	1/15/2021	UA Express 6168 IAH - ONT
10	2/1/2021	UA Express 5506 SDF - DEN
11	2/8/2021	UA Express 6094 SDF - IAH
11	2/8/2021	UA Express 6312 IAH - ONT
12	3/4/2021	UA Express 5506 SDF - DEN
12	3/4/2021	United 0455 DEN - ONT
13	7/3/2021	UA Express 5506 SDF - DEN
13	7/3/2021	United 0649 DEN - ONT
14	7/19/2021	UA Express 5240 DEN - SDF
14	7/19/2021	United 2459 SMF - DEN
15	7/26/2021	UA Express 5506 SDF - DEN
15	7/26/2021	United 0649 DEN - ONT
16	8/16/2021	UA Express 3491 ORD - SDF
16	8/16/2021	UA Express 5425 SLC - ORD
17	9/6/2021	United 2497 SEA - ORD
17	9/7/2021	UA Express 3954 ORD - SDF
18	10/1/2021	UA Express 3960 ORD - SDF
18	10/1/2021	United 2277 LAX - ORD
19	10/30/2021	UA Express 5335 SDF - DEN
19	10/30/2021	United 1689 DEN - ONT
20	11/11/2021	UA Express 6210 ONT - IAH
20	11/12/2021	UA Express 6111 IAH - SDF
21	11/27/2021	UA Express 5636 SDF - DEN
21	11/27/2021	United 1689 DEN - ONT
22	12/6/2021	UA Express 4719 DEN - SDF
22	12/6/2021	United 1888 ONT - DEN
23	1/2/2022	UA Express 6185 SDF - IAH
23	1/2/2022	United 1552 IAH - ONT

Plaintiff's Exhibit 7

	JANUARY																					
	SAT	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT
Name	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Michael Farris		T	H	H	H	H	H	H	H	H	H	H	H	H	H	H	T					
Roberto velez									T	H	H	H	H	H	H	H	H	H	H	H	H	H
Ricky							T	H	H	H	H	H	H	H	H	H	H	H	H	T		
Jim											T	H	H	H	H	H	H	H	H	H	H	H
Rap								T	H	H	H	H	H	H	H	H	H	H	H	H	H	H
Eric			T	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H
Freddie																						
Alonzo			H	H	H	H	H			H	H	H	H	H			H	H	H	H	H	
Sage			H	H	H	H	H			H	H	H	H	H			H	H	H	H	H	
Luke			H	H	H	H	H			H	H	H	H	H			H	H	H	H	H	
Jory			H	H	H	H	H			H	H	H	H	H			H	H	H	H	H	

N51BH L  
 N82BH C  
 N83BH P  
 8724660 N  
 Hangar H  
 Vacation V  
 Travel day T  
 Day off in place DO

SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU
23	24	25	26	27	28	29	30	31	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17



## MARCH

WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT	SUN
16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	1	2	3	4	5	6	7	8	9	10

[illegible]

SANTAS

MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI
11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	1	2	3	4	5	6

[illegible]

## MAY

SAT	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED
7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	1

[illegible]



## JUNE

THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27

[illegible]



**New York Neurology and Medical Services, P.C.**

Dr. Russell Surasky FAAN, ABPM, Board Certified Neurologist

15 Barstow Road ♦ Great Neck, N.Y. 11021 ♦ 516.487.9414 ♦ *telefax*: 516.487.2302

Date: 05/13/2021

Re: Michael Faris [REDACTED]

Michael Faris has been under my medical care since April 24, 2021. The patient has a medically diagnosed mental disability that qualifies as such under the American Disabilities Act and because of the disability, he can not safely wear a mask for the duration of travel. He is diagnosed with Generalized anxiety disorder. The patient is currently being treated for this disability. Wearing a mask has led to severe panic attacks and near syncope. It is my recommendation that he not be mandated to wear a mask as it has proven to be detrimental to his health.

If you require any further information or documentation please do not hesitate to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "Russ D.O.", written over a horizontal line.

Dr. Russell Surasky, ABPN, ABAM  
Board Certified Neurologist

Dr. Russell Surasky FAAN, ABAM  
Board Certified : Neurologist  
Board Certified: Addiction Medicine

LIC # [REDACTED]

DEA # [REDACTED]

[gpadacenter.org](https://www.gpadacenter.org)

## FAQs: The ADA, Small Business and Face Mask Policies | Great Plains ADA Center

13-17 minutes

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### The ADA and Small Business: Frequently Asked Questions About Face Mask Policies and Serving Customers with Disabilities.

The Great Plains ADA Center has received many questions regarding face mask policies and the ADA from the business community. We have collected a summary of these questions and our responses to guide businesses wanting to ensure their face mask policies comply with the ADA.

**Please note:** No specific guidance on face mask policies and the ADA has been issued by the U.S. Dept. of Justice at the present time. Our technical assistance on this particular issue is based on our understanding of the ADA as well as guidance and recommended practices from other regional ADA Centers, attorneys, disability organizations, and federal agencies. This document will continue to be updated to reflect new information.

#### FAQs

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**1) I've heard that a person carrying a card issued from the U.S. Dept. of Justice does not have to wear a face mask, and I could be fined if I do not let this person shop freely without a face mask.**

This information is false. The U.S. Department of Justice released the statement below in response to this particular misleading information circulating on the internet.

#### The Department of Justice Warns of Inaccurate Flyers and Postings Regarding the Use of Face Masks and the Americans with Disabilities Act

Assistant Attorney General for the Civil Rights Division Eric Dreiband reiterated today that cards and other documents bearing the Department of Justice seal and claiming that individuals are exempt from face mask requirements are fraudulent.

Inaccurate flyers or other postings have been circulating on the web and via social media channels regarding the use of face masks and the Americans with Disabilities Act (ADA) due to the COVID-19 pandemic. Many of these notices included use of the Department of Justice seal and ADA phone number.

As the Department has stated in a previous [alert](#), the Department did not issue and does not endorse them in any way. The public should not rely on the information contained in these postings.

The ADA does not provide a blanket exemption to people with disabilities from complying with legitimate safety requirements necessary for safe operations.

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**2) My business is very small, and I only have one employee. Am I covered by the ADA? Do I**

### **have to make accommodations to customers with disabilities?**

Businesses are covered by Title III of the Americans with Disabilities Act. There is no exception in Title III based on the number of employees or facility size. Businesses covered by the ADA must not discriminate based solely on a customer's disability. Businesses must also provide:

- Reasonable modifications to their policies and practices to ensure customers with disabilities can access their goods and services.
- Effective communication through auxiliary aids and services ensuring that communication with people with disabilities is as effective as communication with people without disabilities.
- Access to goods and services through the removal of physical barriers such as steps, narrow doorways, and high thresholds, when readily achievable.

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### **3) Does the ADA require me to have customers wear face masks in my store?**

No. The ADA applies to **how** face mask policies are carried out to ensure they are not discriminatory against people with disabilities. Many states and local governments have issued regulations and/or ordinances that require people to wear face masks in public places. Other states and local governments have left policies up to individual businesses. The Great Plains ADA Center highly recommends that businesses stay up to date on face mask policy recommendations and rules issued by their state and local governments. Businesses may use this FAQ and other resources to determine how to apply face mask policies in a way that does not discriminate against people with disabilities.

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### **4) If a customer can't wear a mask because of their disability, do I have to make an exception to the face mask policy?**

The U.S. Department of Justice has stated that "The ADA does not provide a blanket exemption to people with disabilities from complying with legitimate safety requirements necessary for safe operations." (See question 1) A business owner does not have to automatically waive a face mask requirement unless there is a local ordinance or state law specifically requiring the business to do so.

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5) Are there people who really can't wear face masks because of their disabilities?

Yes. For many individuals with different types of disabilities the effects of wearing a mask are far more severe than being slightly uncomfortable. Wearing a face mask can have a significant impact on their health, wellbeing, and ability to function. For example, a person with a respiratory disability such as asthma or chronic obstructive pulmonary disease (COPD) may not be able to wear a face mask because doing so causes difficulty in breathing. People with anxiety disorders and post-traumatic stress disorder (PTSD) may develop severe anxiety when wearing a face mask. People who have sensory issues may find the constant sensation of a mask on their face very difficult to tolerate.

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6) What should I do if a person requests to not wear a face mask because of their disability?

At this time, we recommend that a business follow the same criteria that the ADA requires in any other request for modification of policy. That is, determine if the modification is "reasonable" based on whether providing it would be an undue financial burden, change the fundamental nature of the

business, or cause a direct threat to the health and safety of others.

#### Denying a Modification in Policy based on "Direct Threat"

Title III regulations of the ADA state that “denying a policy modification request because it would pose a direct threat to the health and safety of others must be based on legitimate evidence”. Sources for evidence of a legitimate threat can include guidance from public health authorities such as the U.S. Public Health Service, the Centers for Disease Control, and the National Institutes of Health, including the National Institute of Mental Health. (Title III Section 36.28). Based on this guidance in the regulations, current public health guidelines can be used to establish that there is legitimate evidence that face masks are necessary to slow or stop the spread of COVID-19 in public places. Public health guidelines regarding the coronavirus pandemic may change over time, and business policies should reflect the changes.

However, even if face mask exemptions may be denied on the basis of “direct threat”, there is still an obligation under the ADA to determine if there are other modifications that could be provided to access goods and services.

Some examples include but are not limited to:

- Providing customers with curbside pick-up or no contact home delivery.
- Allow a customer to wear a full face shield instead of a face mask. Scarves or looser coverings may also be appropriate.
- Letting customers order services online or by phone.
- Conducting individual appointments, such as a tax consultation, remotely.

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7) My business does not have a face mask policy, but our local government just passed an ordinance requiring people to wear face masks in public places. Because there is a local ordinance that our business must follow, do we still have to provide reasonable modifications to people who can't wear a face mask due to a disability?

Yes. ADA regulations would still require your business to offer alternative ways to provide access to goods and services. However, you are not required to take any actions that would result in an undue financial hardship, change the fundamental nature of the business, or cause a direct threat to health and safety to others, including your employees.

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8) Our business provides a face mask to customers that are not wearing masks as they enter the store. A customer told me that she can't wear a face mask. Am I allowed to ask if the reason is because of a disability?

Yes, you may ask a customer if they cannot wear a face mask due to disability. But be careful not to ask questions about the nature or severity of the disability. This response is based on general guidance regarding modification of policy in Title III of the ADA. Currently, there is no specific guidance regarding face mask inquiries and people with disabilities from the U.S. Department of Justice.

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9) A few individuals have requested curbside service because they can't wear a mask due to disability. I'm not so sure if this is really the case. Can I require a note from a doctor or some other form of documentation?

We recommend that businesses treat requests for modifications to a face mask policy as they would other requests for policy modification. Generally, when a person with a disability asks for a relatively simple modification, the individual is not required to provide any type of documentation. **As a rule people with disabilities do not carry documentation of disability or a doctor's note.** Considering that many customers have different kinds of needs that may require additional customer service, singling out people with disabilities to provide documentation may appear discriminatory.

This interpretation is supported by a recent article, A 'Get Out of Masking Free' Card Based on the ADA? , which appeared in the National Law Review. Authors Metcalf and Paul, state **"In the non-employment context (i.e., a customer relationship), a business generally cannot demand documentation confirming that an individual is disabled or needs a particular accommodation, so businesses may run the risk of alienating customers with disabilities, or even draw a bona fide complaint to the DOJ or a lawsuit, by requiring a showing of such proof."**

More on Documentation:

Please note that the questions and answers in this document are targeted to small businesses such as retail stores, restaurants, and theaters. Many other types of entities are covered by Title II and III of the ADA including schools, hospitals and clinics, daycare facilities, and camps. These entities may have instances when requiring documentation of disability and/or medical testing would be appropriate under the ADA. Future Q & A's from the Great Plains ADA Center will address documentation and broader ADA related issues for these entities.

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10) We require identification for items such as alcohol and cigarettes at the check-out counter. If I provide curbside service to someone who can't wear a face mask, can I still require identification?

Yes. These types of legal requirements still apply to people with disabilities, just like everyone else. You also have a right to set up procedures which make contact as minimal as possible. For example, you may have the person drop their Driver's license or ID card in a box rather than hand it directly to staff.

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11) My business offers eyebrow waxing and other spa services. We have a customer who says she can't wear a mask due to disability and doesn't want to use any other type of face-covering or face shield. We can't provide these services online or through delivery. Does that mean we must make an exception to our face mask policy?

The ADA requires businesses to assess what types of modifications they can provide that are reasonable. Depending upon the nature of the business, there may be no reasonable alternative method to provide goods and services to the customer. If this is the case, your business does not have to change its face mask policy provided it is based on a legitimate threat to others' health and safety.

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12) Until a couple of weeks ago, our business had no face mask policy and left the choice to wear a mask up to our customers. Due to increased cases in our area, we want to begin requiring face masks in our store. A couple of our

customers have told us they weren't wearing masks due to their disabilities. They believe that it is both unfair and discriminatory that they must now wear face masks to come into the store when so many other people were not required to wear masks.

This scenario is a good example of why it is highly recommended that businesses communicate their face mask policies clearly to their customers. If there is a change in policy, a written notice in the front of the business stating the new policy and when it will go into effect is good practice. This information could also be posted on the business website and social media.

Businesses should also be careful to apply their policies equally to all customers. For example, if young, healthy looking customers shop openly without a mask while, in contrast, a customer who appears to have a disability is questioned about their disability and then asked to wear a face mask--the discrimination complaint may be legitimate.

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13) A young man who is deaf and read lips frequently shops at our store. Should we require our staff to wear face masks with clear plastic inserts to allow lip reading?

According to the National Association of the Deaf (NAD), face masks pose real communication challenges for deaf and hard of hearing individuals. Face masks with clear plastic shielding to make the mouth visible are one way to meet the needs of people who read lips. These masks would not have to be worn all of the time by employees, but simply be available as needed to communicate with customers who read lips. A full face shield is another option that allows more visibility of the entire face, making lip-reading easier. (Of course, sanitation protocols should be used rather than just letting different employees share the same mask or shield! ) Not everyone who is deaf or hard of hearing lip-reads. Other alternative methods of simple communication include text messaging, Skype or Face time, dry erase boards, and disposable pens and paper.

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Developed by the Great Plains ADA Center. July 10, 2020

Plaintiff's Exhibit 10

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**From:** SAC <SAC@aa.com>  
**Date:** May 14, 2021 at 5:26:43 PM EDT  
**To:** MICHAEL.FARIS@me.com  
**Cc:** michael.faris@blueskycopters.com  
**Subject:** American Airlines ARCXL

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**From:** SAC  
**Sent:** Friday, May 14, 2021 4:22 PM

Hello,

Thank you for choosing American Airlines.

The documentation submitted doesn't meet one or more of our qualifications and won't be approved at this time. As a reminder, a qualified individual is a person with a disability who



cannot wear a mask, or cannot safely wear a mask, because of their disability as defined by the ADA. These letters may also be reviewed by a third party medical advisor.

If you have any questions, please contact the American Airlines Special Assistance Coordinator Desk at 1-800-237-7976. Our office hours are daily from 7:30 a.m. to 8:30 p.m. CST.

Thank you,

American Airlines Special Assistance Coordinator



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**From:** AmericanAirlinesCustomerRelations@aa.com  
**Date:** June 21, 2021 at 1:48:13 PM EDT  
**To:** michaelfaris@me.com  
**Subject:** Your Response From American Airlines



June 21, 2021

Dear Mr. Faris:

Thank you for your reply, after reading your comments I understand that you're still unhappy with us. As previously mentioned, one of our primary responsibilities in Customer Relations is to help you as our customer who has an unfavorable impression and I make your comments available to the appropriate management teams for internal review. While this process may be of little solace, we are truly sorry that we weren't able to resolve the issue to your satisfaction.

Also, COVID-19 continues to be very fluid and change is unforeseeable. As we move forward during these tenuous times, mask directives will continue to be part of our ongoing assessment.

Mr. Faris, as a Platinum AAdvantage® member we welcome the opportunity to listen, learn and most importantly, improve. Your business is very important to us and it is always a privilege to welcome you on-board.

Sincerely,  
Dulce Lagos  
Customer Relations  
American Airlines

AA Ref#1-29826909537

**Your opinion matters to us! We invite you to share your overall experience in this quick one minute survey. Click [here](#) for the survey. We appreciate your time and valuable feedback.**

The information in this email is confidential and is intended solely for the addressee(s); access to anyone else is unauthorized. If this message has been sent to you in error, do not review, disseminate, distribute or copy it. If you are not the intended recipient, please delete this email from your email system.

If your comments are related to American Airlines service to, from, or in the United Kingdom and we have reached an impasse in terms of resolving your complaint, please know that we are obligated by the Civil Aviation Authority (CAA) to inform you that you may contact a CAA-approved Alternative Dispute Resolution (ADR) provider competent to deal with airline service complaints. American Airlines, however, does not participate with an ADR in resolving disputes.

RESPCONID: 1-DPDPRKZ:

RESPID:1-DPDPRKX:

TID:1-DPA66OX:

PROCESS:Response:

CONTACTID:1-D2LLA6Y:

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**From:** AmericanAirlinesCustomerRelations@aa.com  
**Date:** June 29, 2021 at 6:24:29 PM EDT  
**To:** michael@me.com  
**Subject:** Your Response From American Airlines



June 29, 2021

Dear Mr. Faris:

The Department of Transportation Aviation Consumer Protection Division (DOT) forwarded your correspondence under DOT case number AT2021060032 regarding your request for an exemption to the face mask directive. On behalf of American Airlines, I appreciate the opportunity to reply to your concerns.

After reading your comments, I apologize for the experience you had with our Special Assistance Coordinators (SAC). We, too, are disappointed that your request for an exemption to the mask mandate has not gone as smoothly as we both would have preferred. These are challenging and unprecedented times for our industry, our company and our team — and we know the same is true for our customers and the rest of the world. We're working tirelessly to provide the same great service to you as we weather this crisis.

As I mentioned in my previous response, customers with disabilities who are unable to wear a mask should notify SAC at least 72 hours prior to departure to request an exemption from the mask requirement. Exemptions will require documentation from a licensed health care provider, as well as proof of a negative COVID-19 test taken within three calendar days of departure or proof of recovery from COVID-19.

I have investigated your concerns and appreciate the opportunity to share with you the results of my investigation. My records show one ticket, 0012177253487, was purchased on May 26th, 2021. Originally you scheduled your trip to depart from flight 1821, operated by American Airlines, from Ontario arriving at Dallas on May 28th. Connecting on flight 5759, operated by Mesa Airlines, from Dallas, arriving at Louisville on May 28th. On May 27th a phone conversation with SAC took place regarding not giving at least a 72-hour notice prior to departure regarding your request to be exempted of the mask mandate. In addition, the letter you submitted from your doctor was the same one used from your previous trip, however, as you stated in your complaint, you opted to redact some of the information for your own privacy.

Mr. Faris, from your comments you state that you were misinformed regarding having been denied boarding. For this, I am sorry, and for the misunderstanding the agent caused. We strive to train our employees to be courteous and knowledgeable, but our efforts are of little value if we fail to

provide accurate and professional service. I have taken your comments and I have recorded it in our system and your comments are available for the appropriate management teams to review. The intent is to use your feedback to help us improve our service and provide more efficient assistance to our passengers in the future. While I realize this may also be of little solace to you, please know that we are doing our best to prevent such aggravating situations. Lastly, you made a voluntary change to your flights to travel a day earlier.

While, from a regulatory perspective it appears we are not in violation as the letter you submitted does not qualify for an exemption. I have taken your comments and I have recorded it in our system and your comments are available for the appropriate management teams to review. The intent is to use your feedback to help us improve our service and provide more efficient assistance to our passengers in the future. While I realize this may also be of little solace to you, please know that we are doing our best to prevent such aggravating situations.

Mr. Faris, we are committed to using customer feedback such as yours to help us improve. As a Platinum AAdvantage® member we thank you for your loyalty and given the opportunity we look forward to welcoming you onboard an American Airlines flight.

Sincerely,  
Dulce Lagos  
Customer Relations  
American Airlines

AA Ref#1-29808316564

**Your opinion matters to us! We invite you to share your overall experience in this quick one minute survey. Click [here](#) for the survey. We appreciate your time and valuable feedback.**

The information in this email is confidential and is intended solely for the addressee(s); access to anyone else is unauthorized. If this message has been sent to you in error, do not review, disseminate, distribute or copy it. If

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**From:** AmericanAirlinesCustomerRelations@aa.com  
**Date:** July 28, 2021 at 9:44:55 AM EDT  
**To:** michaelfaris@me.com  
**Subject:** Your Response From American Airlines



July 28, 2021

Dear Mr. Faris:

The Department of Transportation Aviation Consumer Protection Division has forwarded your correspondences for DOT cases AT2021060045 and AT2021060050 regarding your requests for a mask exemption due to your disability. I appreciate the opportunity to respond to your concerns.

On behalf of American Airlines and Mesa Airlines, I apologize for the disappointing experiences you have encountered with us concerning the current mask mandate. It is certainly not our intent to create difficulties for our valued customers, and I regret if we have failed to provide the level of service you expect.

As you may know, carriers must not refuse to provide transportation to a

passenger on the basis of their disability except as specifically permitted by the Air Carrier Access Act. However, carriers may refuse to provide



previously advised, the exemption to this mandate is narrowly defined and is limited to a person with a qualified disability who cannot wear a mask for reasons related to their disability.

Since you did not receive approval for a disability-related exemption before travel, a face covering would have been required for travel under confirmation codes HIUYHS and BXKTVE. As you know, any passenger who does not comply with our face-covering policy at the airport and has not been provided a mask exemption may be denied boarding from their current flight and possible future travel on American.

Again, we truly regret any difficulty the temporary mask mandate may cause you, Mr. Faris. Although we believe there was no regulatory violation as the 72-hour notification requirement was not met, the documentation submitted did not meet the conditions for a mask exemption, and you were able to travel as planned, we regret any inconvenience this may have caused you.

I am also sorry for the problems you faced while speaking with our SAC desk and if the representatives did not fully explain why you were being referred to Customer Relations. Since the documentation you had supplied did not meet the parameters needed for approval, the representatives directed you to Customer Relations to follow up regarding your concerns. Again, I regret if these details may not have been properly conveyed to you during your interactions with our SAC desk. Although Customer Relations does not provide pre-approval for a mask exemption due to a physical or mental disability, our job is to listen to passengers' issues and concerns, give each a code for reporting purposes, and apply our policies accordingly. Please know that your concerns have been thoroughly documented, and your comments have been made available for leadership to review internally. Please know all of us here at American Airlines are committed to ensuring all our customers with special needs enjoy pleasant and comfortable flights each time they travel with us.

Moreover, I am sorry for any delay in our responses to your Department of Transportation correspondences. I show we have responded to case AT2021050011 on May 13, case AT2021050045 on June 17, and case AT2021060032 on June 29, 2021. You should have received a copy of these responses via email.

As a member of our AAdvantage® program since 2019 and a current Platinum member, we truly appreciate your loyalty. It is always our pleasure to serve you and a privilege to have you as our customer. We hope to see you on-board again soon.

## Re: Your Response From American Airlines

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From: Michael Faris (michaelfaris@me.com)

To: americanairlinescustomerrelations@aa.com

Date: Wednesday, December 8, 2021, 10:10 AM EST

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It will be my pleasure to sue you and your employees personally, for discriminating against passengers with disabilities. You're in clear violation of law. As an air carrier, you know quite well that your position in this is illegal.

All of your employees who have reviewed and investigated any complaint in relation to this issue, will be personally held accountable when I file this lawsuit. None of you will get away with this blatant act of violence against your patrons.

You can take that to the same bank you used to cash taxpayer money to bail out your mismanaged airline. Hope you aren't buying your own stock anymore.

You will pay for your actions in a court of law. Talk soon.

*Michael Faris  
H-60 MX Supervisor  
Bluesky Helicopters  
2015 McKinley Ave Ste.F4  
Laverne, CA 91750  
270-723-4944*

On Dec 8, 2021, at 9:56 AM, AmericanAirlinesCustomerRelations@aa.com wrote:



December 8, 2021

Dear Mr. Faris:

The Department of Transportation Aviation Consumer Protection Division has forwarded your recent correspondence under DOT case number AT2021110023 regarding your request for a mask exemption while traveling on American Airlines flights. I've also had an opportunity to review the previous correspondences you sent directly to our Customer Relations office, and on behalf of American Airlines, I appreciate the opportunity to further reply to your concerns.

I checked your reservation record, TUJXQS, and noted you booked travel via aa.com the morning of October 21, 2021, for travel on American flights 1820 and 5842 from Ontario to Louisville via Dallas/Fort Worth that same morning. We do understand from your comments that you were not wearing a mask when you entered the Ontario airport terminal and approached our ticket counter for check-in.

As you may know, on January 29, 2021, the Centers for Disease Control issued an [Order](#) that required face masks to be worn by all people while on public transportation (which included all passengers and all personnel operating conveyances) traveling into, within, or out of the United States and U.S. territories. The Order also required all people to wear masks while at transportation hubs (e.g., airports, bus or ferry terminals, train and subway stations, seaports, U.S. ports of entry, and other locations where people board public transportation in the United States and U.S. territories), including both indoor and outdoor areas (amended June 10th). In support of the mask mandate, we require customers to wear a mask that covers their nose and mouth from

the time they enter their departure airport until they exit their arrival airport.

As you are aware, there are now limited and narrow exemptions to this mandate, and carriers must not refuse to provide transportation to a passenger on the basis of his or her disability except as specifically permitted by the Air Carrier Access Act. However, carriers may refuse to provide transportation to any passenger on the basis of safety, or to any passenger whose carriage would violate FAA or TSA requirements or applicable requirements of a foreign government.

The narrow mask exemptions includes a person with a disability who cannot wear a mask for reasons related to their disability such as those who do not understand how to remove their mask due to cognitive impairment, cannot remove a mask on their own due to dexterity/mobility impairments, or cannot communicate promptly to ask someone else to remove their mask due to speech impairments or language disorders, or cannot wear a mask because doing so would impede the function of assistive devices/technology. It is not meant to cover persons for whom mask-wearing may only be difficult.

As you are also aware, to request an exemption, passengers must contact us at least 72 hours before they plan to travel and have a valid, ticketed reservation. Requests can be made through our Special Assistance desk at 800-237-7976. Exemptions will require documentation from a licensed health care provider, as well as proof of a negative COVID-19 test, taken within three calendar days of departure, or proof of recovery from COVID-19.

We understand your continued disappointment that your previous mask exemption requests for travel on our flights did not meet the narrow exceptions allowed. While our records indicate you requested our Ontario ticket counter personnel approve a mask exemption for flights 1820 and 5842 that morning, from a regulatory perspective it appears we are not in violation as our procedure for evaluating a no mask exemption was not followed and your previous submissions did not meet the exceptions allowed.

While you purchased a non-refundable ticket, as a courtesy, your ticket, 0012306866278, was refunded in the amount of \$474.19 to the MasterCard ending in 7717. To check the status of your refund online, please visit [prefunds.aa.com](https://prefunds.aa.com).

Our job in Customer Relations is to listen to passenger's issues, concerns, and give each a code for reporting purposes. Your concerns have been thoroughly documented and your comments are available for the appropriate management teams to review. The intent is to use your feedback to help us improve and make proactive changes with the goal of improving our service and providing more efficient assistance to our passengers in the future.

Mr. Faris, it was my pleasure to assist our loyal AAdvantage® member and from all of us at American Airlines, we thank you for choosing American Airlines for your past travel.

Sincerely,  
W. Chris Alan  
Customer Relations  
American Airlines

AA Ref#1-30685522386

**Your opinion matters to us! We invite you to share your overall experience in this quick one minute survey. Click [here](#) for the survey. We appreciate your time and valuable feedback.**

The information in this email is confidential and is intended solely for the addressee(s); access to anyone else is unauthorized. If this message has been sent to you in error, do not review, disseminate, distribute or copy it. If you are not the intended recipient, please delete this email from your email system.

If your comments are related to American Airlines service to, from, or in the United Kingdom and we have reached an impasse in terms of resolving your complaint, please know that we are obligated by the Civil Aviation Authority (CAA) to inform you that you may contact a CAA-approved Alternative Dispute Resolution (ADR) provider competent to deal with airline service complaints. American Airlines, however, does not participate with an ADR in resolving disputes.

RESPCONID: 1-E3HJLE7:

RESPID:1-E3HJLE5:

TID:1-E3HD8LU:

PROCESS:Response:

CONTACTID:1-D2LLA6Y:

**From:** customercare@united.com  
**Date:** August 30, 2021 at 4:29:23 PM EDT  
**To:** michaelfaris@me.com  
**Subject:** Re: CL2021070330 - (MICHAEL FARIS) MZ2300 (KMM73252198V55338L0KM)

Hello Mr. Faris,

This letter is written in response to your correspondence with the U.S. Department of Transportation (DOT) concerning your travel on July 26, 2021

I am sorry to hear that you fainted on the flight from Louisville to Denver on July 26, 2021.

It is unfortunate that you have a condition that makes it difficult for you to wear a face mask or other permitted face covering. United has determined that the possibility of asymptomatic transmission of COVID-19 in the confined space of an airplane is a direct threat to the health and safety of our passengers and crew that can only be mitigated by all onboard wearing a facemask. United has made this determination based on a review of current medical knowledge and CDC guidance.

We are adhering to the CDC guidelines for the health of everyone. In this COVID-19 environment, governmental direction has been given to wear masks in public settings. We view the asymptomatic transmission of COVID-19 a direct threat to our passengers that can only be mitigated by the wearing of a face mask. While I certainly understand your point of view, I didn't find United violated federal disability regulations.

We're committed to ensuring all of customers have access to the same services. Each airport has trained agents (Complaint Resolution Officials, CRO) who are available upon request to resolve service issues for customers with disabilities. In the future, feel free to ask for a CRO

if you need assistance.

- Prior to travel, you can view information on [united.com](https://www.united.com) > Travel information > Special travel needs.
- You can also contact a CRO 24/7 at (800) 228-2744.

Regards,

Wendy Marzullo  
Complaint Resolution Official (CRO)  
DOT/Disability Specialist – Corporate Customer Care  
Case ID: 162765667595312

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**From:** customer.care@united.com  
**Date:** September 10, 2021 at 1:53:51 PM EDT  
**To:** michaelfaris@me.com  
**Subject:** New AUGUST Disability Complaint: AT2021090012 - (MICHAEL FARIS) MZ2300

Hello Mr. Faris,

This letter is written in response to your correspondence with the U.S. Department of Transportation (DOT) concerning your request for a mask exception.


I see that you traveled on United on August 16, 2020 from Salt Lake City to Chicago and Chicago to Louisville. I do not see that you have submitted any additional information to be considered for a mask exception. We have previously asked for additional information about your condition but nothing has been provided.

It is unfortunate that you have a condition that makes it difficult for you to wear a face mask or other permitted face covering. United has determined that the possibility of asymptomatic transmission of COVID-19 in the confined space of an airplane is a direct threat to the health and safety of our passengers and crew that can only be mitigated by all onboard wearing a facemask. United has made this determination based on a review of current medical knowledge and CDC guidance.

We are adhering to the CDC guidelines for the health of everyone. In this COVID-19 environment, governmental direction has been given to wear masks in public settings. We view the asymptomatic transmission of COVID-19 a direct threat to our passengers that can only be mitigated by the wearing of a face mask. While I certainly understand your point of view, I didn't find United violated federal disability regulations. Currently, we do have a process for making exceptions based on CDC guidelines.

### What if I have a disability or medical condition that may prevent me from wearing a face mask?

United has implemented a multi-step approach for customers who have a disability or medical condition that prevents them from being able to wear a face covering/mask. Please review the below steps to be considered for an exemption. Documents should be submitted to [MaskExceptions@united.com](mailto:MaskExceptions@united.com)

- Travel must be confirmed prior to requesting an exemption.
- Every customer seeking an exemption must submit a mask  [exemption request form](#), a portion of which must be completed by their treating medical provider regarding their disability or medical condition, a minimum of **7 days** prior to scheduled departure. If the ticket was purchased less than 7 days before travel, then the form must be submitted as soon as possible. There is no guarantee that a customer's exemption will be granted in time.
- United will review the documentation, and only after we determine that it meets our requirements and that an exemption would be in accordance with CDC/DOJ/TSA standards, will the customer be notified that they need to provide proof of a **negative COVID-19 PCR test** result. The test must be taken within **72 hours** of scheduled departure. Separate tests will be required for both the outbound and return flights if the scheduled return travel is beyond 72 hours from when the test was taken.
- United may require customers seeking an exemption or their travelling party to move to alternate seats in the cabin and/or change their itinerary to less-full flights to allow for greater social distancing from other customers on board, if possible. United will advise regarding the alternatives, and changes to flights under these circumstances will be made at no additional cost.
- United will issue a letter of approval that will contain customer name, flights, date(s) of travel and reservation number. This will need to be printed and carried on your person at all times while traveling and will need to be shown to TSA at the security checkpoint prior to being screened.
- This exemption process is applicable only to flights in a single reservation, and any exemption for future travel or travel in separate reservations will need to be applied for anew under this process.

We're committed to ensuring all of customers have access to the same services. Each airport has trained agents (Complaint Resolution Officials, CRO) who are available upon request to resolve service issues for customers with disabilities. In the future, feel free to ask for a CRO if you need assistance.

- Prior to travel, you can view information on [united.com](https://www.united.com) > Travel information > Special travel needs.
- You can also contact a CRO 24/7 at (800) 228-2744.

Regards,

Wendy Marzullo  
Complaint Resolution Official (CRO)  
DOT/Disability Specialist - Corporate Customer Care  
Case ID: 163102399186044



From: airconsumer@dot.gov  
Subject: Airconsumer Acknowledgement  
Date: Apr 29, 2021 at 7:21:37 PM  
To: michaelfaris@me.com

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Thank you for contacting us concerning your air travel service issue. The U.S. Department of Transportation (DOT) seeks to ensure that airline passengers are treated fairly. Complaints and comments from consumers are helpful for determining whether airlines or ticket agents are complying with Federal aviation consumer protection and civil rights statutes and DOT regulations, and to track trends or spot areas of concern that warrant further action. Your complaint or inquiry will be assigned to an analyst for review and you will receive a more detailed acknowledgment.

The Department is receiving a high volume of complaints given the unprecedented impact of the 2019 Novel Coronavirus (COVID-19) public health emergency on air travel. As a result, the time to process complaints is taking longer than normal. We are working hard to provide the best support we can, but it may take several weeks to process your complaint. We apologize for the delay.

Thank you again for taking the time to contact us.

Office of Aviation Consumer Protection  
U.S. Department of Transportation

PERSONAL INFO:

Passenger - Mr MICHAEL FARIS [MICHAELFARIS@ME.COM](mailto:MICHAELFARIS@ME.COM)

CONTACT INFO:

160 CHARLOTTE CIR ELIZABETHTOWN, KY 42701

Home Phone: 270-723-4944

Daytime Phone: 270-723-4944

COMPLAINT INFO:

Airline Code: AA

Flight Date: 04/29/2021

Flight Itinerary: SDF, DFW, ONT, LAX.

Description of Problem/Inquiry/Comment:

I HAVE REACHED OUT TO AMERICAN AIRLINE AND SENT THEM A COPY OF A MASK EXEMPTION LETTER FROM MY DOCTOR ON 04/26/2021 AT 1516 PCT. I HAD ASKED THAT IT BE ADDED TO MY AADVANTAGE ACCOUNT. AS OF TODAY, WHICH IS 72 HOURS LATER (IN ACCORDANCE WITH THE AIRLINES POLICY) I HAD YET TO RECEIVE A RESPONSE. I HAVE REACHED BACK OUT

TO THE AIRLINE TODAY AND KEVIN INFORMED ME THAT WITHOUT NOTICE, THEY HAD DENIED MY REQUEST TO USE THEIR SERVICES WITH MY DISABILITY. IN SPEAKING WITH KEVIN, THE AGENT AT AMERICAN AIRLINES SERVICE REQUEST DIVISION, HE SAID THAT I MUST ALWAYS SUBMIT THIS LETTER EACH TIME THAT I FLY AS WELL AS PROVIDE A NEGATIVE COVID TEST OR PROOF THAT I HAVE RECOVERED FROM THE VIRUS EACH TIME I FLY. ACCORDING TO HIPAA LAW, IT IS MY INDIVIDUAL RIGHT TO DENY ANY COMPANY ACCESS TO INFORMATION IN REGARDS TO MY PERSONAL HEALTH. I FEEL THAT PROVIDING THE MASK EXEMPTION IS ENOUGH. TO BE MORE CLEAR, MY DISABILITY DOES NOT REQUIRE THE AIRLINES ASSISTANCE IN ANY WAY. I SIMPLY ASKED THAT THE AIRLINES WRITE SOME FORM OF LETTER OR ATTACH TO MY FILE, INFORMATION IN REGARDS TO MY DISABILITY SO THAT THIER STAFF WOULD NOT GET CONFRONTATIONAL WITH ME IN THE FUTURE. THERE IS NO NEED FOR THE AIRLINE TO BE NOTIFIED EVERY SINGLE TIME I FLY AS I USE THEIR AIRLINE EVERY 12 DAYS. ADDITIONALLY, IT IS AN ABSOLUTE WASTE OF TAX PAYER DOLLARS FOR ME TO GO AND TAKE A COMPLETELY GOVERNMENT FUNDED TEST WHICH HAS BEEN PROVEN TO BE DRASTICALLY

INEFFECTIVE IN ITS RESULTS (LETS EXCLUDE THE FACT THAT ITS ILLEGAL AND I AM NOT REQUIRED TO GIVE MY MEDICAL HISTORY TO AN AIRLINE.) LASTLY, ACCORDING TO THE AIR CARRIER ACCESS ACT, IT IS UNLAWFUL FOR THE AIRLINE TO REFUSE ME SERVICE DUE TO A DISABILITY. I WOULD GREATLY APPRECIATE YOUR ASSISTANCE WITH THIS MATTER AS I TRAVEL QUITE FREQUENTLY AND IT IS DETREMENTAL TO MY HEALTH TO BE FORCED TO WEAR A MASK. IN THE NATURE OF BUSINESS THAT I AM INVOLVED, WHICH IS ARIEL WILDLAND FIRE FIGHTING, THERE ARE TIMES THAT I MUST BOOK MY RESERVATIONS ON THE DAY OF TRAVEL. I ALWAYS KNOW THE DATE OF TRAVEL BUT NOT ALWAYS THE LOCATION. IT WOULD BE A WASTE OF THE AIRLINES TIME TO BOOK A FLIGHT 3 DAYS IN ADVANCE ONLY TO CHANGE THAT FLIGHT ON THE DAY OF TRAVEL. ONCE AGAIN, I APPRECIATE ANY ATTENTION YOU COULD GIVE THIS MATTER ON MY BEHALF. THE MASK EXEMPTION LETTER FROM MY DOCTOR WILL BE ATTACHED. HAVE A WONDERFUL DAY.

This is System generated message, and a response to this

From: airconsumer@dot.gov  
Subject: Airconsumer Acknowledgement  
Date: Jun 1, 2021 at 2:33:40 PM  
To: michaelfaris@me.com

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Thank you for contacting us concerning your air travel service issue. The U.S. Department of Transportation (DOT) seeks to ensure that airline passengers are treated fairly. Complaints and comments from consumers are helpful for determining whether airlines or ticket agents are complying with Federal aviation consumer protection and civil rights statutes and DOT regulations, and to track trends or spot areas of concern that warrant further action. Your complaint or inquiry will be assigned to an analyst for review and you will receive a more detailed acknowledgment.

The Department is receiving a high volume of complaints given the unprecedented impact of the 2019 Novel Coronavirus (COVID-19) public health emergency on air travel. As a result, the time to process complaints is taking longer than normal. We are working hard to provide the best support we can, but it may take several weeks to process your complaint. We apologize for the delay.

Thank you again for taking the time to contact us.

Office of Aviation Consumer Protection  
U.S. Department of Transportation

**PERSONAL INFO:**

Passenger - Mr Michael Faris [michaelfaris@me.com](mailto:michaelfaris@me.com)



**CONTACT INFO:**

160 Charlotte Circle Elizabethtown, KY 42701

Home Phone: 2707234944

Daytime Phone: 2707234944

**COMPLAINT INFO:**

Airline Code: AA

Flight Date: 05/27/2021

Flight Itinerary: VXMQMB

**Description of Problem/Inquiry/Comment:**

Hello, this is my third DOT complaint in relation to this airline and it's procedures that are directly violating 14 CFR 382 and the ACAA. I went on the 26th of May to a clinic in Laverne California and took another covid test for this airline. The test was once again negative, showing that I have never and do not currently have a communicable disease. I submitted the negative covid test to American along with my mask exemption. This time, I redacted my diagnosis and any symptoms from the medical exemption letter for my own privacy. Not that is surprises me, but they have rejected me services in connection with my disability for the third time. Their excuses for rejection his time was related to two things.

The first representative told me that it was rejected because the info wasn't submitted prior to 72 hours before boarding. This is another bogus reason as their policy states that I must submit a negative covid test with the mask exemption within 72 hours for the test to be valid. One might ask the question how I'm supposed to submit a negative test results before I can take the test? So, it's either within 72 hours or 72 hours prior. You cannot have both. For the airline to even ask for this much advance notice is absurd. 14 cfr 382.27 is very specific about what the airline can require advance notice on in connection to a medical condition. 72 hours before an international flight and 48 hours before a domestic flight and mentions specifically what must be required for them to be able to ask for advance notice. Flying without a mask due to a medical condition is not one of them. To be more specific, it is one of these following things: incubator, respirator, stretcher, electric wheelchair or hazardous material in relation to assistive devices. I do not have any of the above or require any assistance in relation to any of it. The second representative had told me that it was rejected because she had seen in her notes that I had been denied boarding on the 15th of May in connection with this disability. This is completely illegal. These airlines are not following the laws in which have been put in place to do business as an airline in this country. The DOT has an obligation to investigate this and fine this airline for their grotesque treatment of passengers with disabilities. At this

point, one can conclude that American has a biased approach in allowing me to fly with this disability. I have followed their policy, which is completely illegal, and they still deny me access to travel in a means in which I should be allowed to safely travel. They are completely disregarding my individual right as a person. They have no care or concern for the actual medical condition that I have and would instead choose to treat me as if I have a communicable disease when I have proven to them, on more than one occasion, that I do not. American has not tried to make a reasonable accommodation for me as a passenger with a disability. It's illegal and must stop.

**This is System generated message, and a response to this email will not be delivered. 06/01/2021 14:27:33**



From: airconsumer@dot.gov  
Subject: Airconsumer Acknowledgement  
Date: Jun 6, 2021 at 10:36:05 AM  
To: michaelfaris@me.com

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Thank you for contacting us concerning your air travel service issue. The U.S. Department of Transportation (DOT) seeks to ensure that airline passengers are treated fairly. Complaints and comments from consumers are helpful for determining whether airlines or ticket agents are complying with Federal aviation consumer protection and civil rights statutes and DOT regulations, and to track trends or spot areas of concern that warrant further action. Your complaint or inquiry will be assigned to an analyst for review and you will receive a more detailed acknowledgment.

The Department is receiving a high volume of complaints given the unprecedented impact of the 2019 Novel Coronavirus (COVID-19) public health emergency on air travel. As a result, the time to process complaints is taking longer than normal. We are working hard to provide the best support we can, but it may take several weeks to process your complaint. We apologize for the delay.

Thank you again for taking the time to contact us.

Office of Aviation Consumer Protection  
U.S. Department of Transportation

**PERSONAL INFO:**

Passenger - Mr Michael Faris [michaelfaris@me.com](mailto:michaelfaris@me.com)

**CONTACT INFO:**

160 Charlotte Circle Elizabethtown, KY 42701

Home Phone: 2707234944

Daytime Phone: 2707234944

**COMPLAINT INFO:**

Airline Code: AA

Flight Date: 06/08/2021

Flight Itinerary: HIUYHS

**Description of Problem/Inquiry/Comment:**

Hello, this will be my fourth DOT complaint against American Airlines. I have still not heard a response from the first complaint I filed in relation to this issue on 4/29/2021. I have once again, sent this airline a copy of a mask exemption letter from my physician as well as proof of a negative covid test. In speaking with the special assistance department, they will not approve or deny me. They have simply stated that I must contact their customer relations department. The Cust. Rel. department does not handle passenger disability requests or assistance. Their job is to help customers file a complaint. I am done filing complaints with this airline and receiving no feedback or help in relation to traveling with my disability.

They have refused me time and time again with no valid reason. Of all the complaints I have filed, I've only received one letter in writing that they actually denied me services in connection with my disability. In accordance with 14 cfr 382.19 (d), the airline is required to inform me in writing that my disability meets the provisions of paragraph (c). In order to do that, they have to prove that I pose a direct threat and that reasonable policy changes won't mitigate the risk. I pose zero risks to any passenger on any flight by not wearing a mask. I have never had covid and I have tested negative each time before boarding aircraft for this airline. There is absolutely no reason they cannot make a policy deferral in relation to my travel and allow me to travel without a mask. I do not need their assistance, I am not a safety concern and I am not boarding with anything that would impede with the safety or regular seating arrangements of other passengers. This is the absolute worst experience I've ever had as an airline passenger. There is no reason for it and it is against the law. As a fellow aviation worker, I had hoped for a higher standard with this process all the way around. Every single turn is one disappointment after another. The airline is making up or changing the rules as they go. It is unfair to the traveler who MUST comply or be immediately targeted, possibly rejected from a flight and then banned to have access to air travel. My job requires that I travel every 12 days. I have tried at every turn to please them and follow their rules. How can this be

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possible when they don't follow their own policy or the law as it is written? Please understand that I will not let up until this airline is held accountable for their actions.

**This is System generated message, and a response to this email will not be delivered. 06/06/2021 10:30:00**

From: airconsumer@dot.gov  
Subject: Airconsumer Acknowledgement  
Date: Jun 19, 2021 at 11:37:09 PM  
To: michaelfaris@me.com

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Thank you for contacting us concerning your air travel service issue. The U.S. Department of Transportation (DOT) seeks to ensure that airline passengers are treated fairly. Complaints and comments from consumers are helpful for determining whether airlines or ticket agents are complying with Federal aviation consumer protection and civil rights statutes and DOT regulations, and to track trends or spot areas of concern that warrant further action. Your complaint or inquiry will be assigned to an analyst for review and you will receive a more detailed acknowledgment.

The Department is receiving a high volume of complaints given the unprecedented impact of the 2019 Novel Coronavirus (COVID-19) public health emergency on air travel. As a result, the time to process complaints is taking longer than normal. We are working hard to provide the best support we can, but it may take several weeks to process your complaint. We apologize for the delay.

Thank you again for taking the time to contact us.

Office of Aviation Consumer Protection  
U.S. Department of Transportation

**PERSONAL INFO:**

Passenger - Mr Michael Faris [michaelfaris@me.com](mailto:michaelfaris@me.com)



**CONTACT INFO:**

**160 Charlotte Circle Elizabethtown, KY 42701**

**Home Phone: 2707234944**

**Daytime Phone: 2707234944**

**COMPLAINT INFO:**

**Airline Code: AA**

**Flight Date: 06/21/2021**

**Flight Itinerary: BXKTVE**

**Description of Problem/Inquiry/Comment:**

Hello, this is my 5th complaint against American Airlines and their continued refusal to provide me air travel in connection with a disability. I have reached out to the airline and provided them a mask exemption, negative covid test and within the time frame their policy requests. They have responded and informed me that once again, I do not qualify to be exempt. When I asked what the basis of disqualification was, they simply referred me to the same phone number they have given me I'm the past to their customer relations. Their customer relations never has any answers and then direct me to another department without fail. No one here has the authority, knowledge or ability to make any decisions or follow

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the law. Per 14 cfr 382, if they deny me service in connection with a disability, they must prove that I am a safety concern and that a minor adjustment of their policies won't mitigate the problem. There is zero chance I am of a safety concern to anyone on any flight as I have continually proven to the airlines that's I've never had the virus and do not currently have the virus. Per cdc order, I am exempt from wearing a face covering as I have a severe sensory and mental disability that could cause harm to myself or others while wearing a mask. The airline is disregarding my rights as protected under the law. No DOT directive or CDC guideline gives the airline the authority to disregard my rights as a human being and they continually do so. This must be stopped.

This is System generated message, and a response to this email will not be delivered. 06/19/2021 23:30:43

From: airconsumer@dot.gov  
Subject: Airconsumer Acknowledgement  
Date: Oct 23, 2021 at 5:37:17 PM  
To: michaelfaris@me.com

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Thank you for contacting us concerning your air travel service issue. The U.S. Department of Transportation (DOT) seeks to ensure that airline passengers are treated fairly. Complaints and comments from consumers are helpful for determining whether airlines or ticket agents are complying with Federal aviation consumer protection and civil rights statutes and DOT regulations, and to track trends or spot areas of concern that warrant further action. Your complaint or inquiry will be assigned to an analyst for review and you will receive a more detailed acknowledgment.

The Department is receiving a high volume of complaints given the unprecedented impact of the 2019 Novel Coronavirus (COVID-19) public health emergency on air travel. As a result, the time to process complaints is taking longer than normal. We are working hard to provide the best support we can, but it may take several weeks to process your complaint. We apologize for the delay.

Thank you again for taking the time to contact us.

Office of Aviation Consumer Protection  
U.S. Department of Transportation

**PERSONAL INFO:**

Passenger - Mr Michael Faris [michaelfaris@me.com](mailto:michaelfaris@me.com)



**CONTACT INFO:**

160 Charlotte Cir Elizabethtown, KY 42701

Home Phone: 270-723-4944

Daytime Phone: 270-723-4944

**COMPLAINT INFO:**

Airline Code: AA

Flight Date: 10/21/2021

Flight Itinerary: TUJXQS

**Description of Problem/Inquiry/Comment:**

Hi, Mike Faris again... what is it, thirteenth time now? I'm sure by now this entire department knows my first and last name. I must be in the running for submitting a record number of DOT complaints by any individual since this programs creation. Anyway, for the facts that pertain to this incident, see below. Hello, I am writing today to inform you that American Airlines has flat out refused me service at Ontario International in connection with a disability. I have a medical exemption from my physician explaining that I should not wear a mask, as it is detrimental to my health. I have fainted and been injured twice on United Airlines watch and now refused service by American because of this disability. On this particular day, I

had attempted to use United Airlines service at ONT in terminal 2. When I had arrived to check in, I was informed that I have recently been put on the "SSSS" list. On October 19, 2021, two days prior to this incident, I filed a lawsuit against the TSA in the sixth circuit court of appeals in relation to their illegal FTMM. One could only hope that me being placed on this list is a coincidence, but I highly doubt it. I have traveled every twelve days for the last three and half years, and have never been put on this list until this lawsuit was filed. After I completed this discriminatory TSA screening, I was escorted to my United flight by three TSA officers. Mind you, I did not wear a mask to check in at United, nor through the TSA screening, as the TSA manager honored my medical exemption through the screening as they normally do. When I scanned my boarding pass at United's gate, the agent instructed me to wear a mask, where I abided by this illegal request. After donning the mask and walking halfway down the jet bridge to board the aircraft, I had an anxiety attack and fainted. I injured my left knee and left elbow. After this Incident, United refused to honor my booked ticket, citing that they would not allow me to fly because I had just fainted. Keep in mind, I have tried to follow these airlines illegal policies to be granted a mask exemption on many occasions and they have refused me at every turn. After this incident, I booked a ticket with American Airlines, in hopes that I could still manage to get home on the 21st. When I approached

the American Airlines ticket counter, the agent demanded that I put on a face mask. I made her aware that I had a medical exemption and that the ONT airport is required to follow laws spelled out in the ADA. American Airlines does not own the common area of checking in for a flight in any airport. The airport property is tax payer funded and is required to follow the ADA laws. I informed her that I would put the mask on when I entered their property and their property alone (the aircraft). The face mask mandate is not a "Federal Law" as it illegally portrayed to the patrons of this property. full complaint attached below.

**This is System generated message, and a response to this email will not be delivered. 10/23/2021 17:29:44**

[Home](#) > [Resources](#) > [For Individuals](#) > [Aviation Consumer Protection](#) > [File a consumer complaint](#)

## Air Travel Service Complaint or Comment Form (Not Related to Airline Safety or Security Issues)

Please use this form to file a complaint or comment about service you received or requested from an airline or ticket agent that does not relate to airline [safety](#) or [security](#). This may include, but is not limited to, topics such as flight delays and cancellations, overbooking, disability, tarmac delays, baggage, discrimination, refunds, ticketing practices, family seating, frequent flyer programs, charter flights, privacy and air ambulance service.

The information that you provide in your complaint or comment form will be provided to the appropriate airline or ticket agent. More detailed information about DOT's complaint handling process, and other helpful information for air travelers is available [here](#).

Items marked with a \* are required.

### Personal Information:

I am  \*

Your Name:  \*

Title:  \*

Last Name:  \*

### Contact Information:

Address:

City:  State:

Zip Code:  Home Phone:

Either Email Address or Daytime Phone is required

#### Email Address:

\*

#### Daytime Phone:

\*

#### Verify Email

##### Address:

\*

Would you like a copy of this submission sent to your email?

☒ Yes ☐ No

### Complaint/Comment Information:

#### Airline/Company:

JETBLUE AIRWAYS  \* (If not listed or not applicable select "OTHER")

#### Flight Date (if applicable):

10/25/2021  (Date Format: mm/dd/yyyy)

#### Flight Itinerary (if applicable):

MCO-DCA Flight 2224 (Cities / Flight Number)

#### Description of Problem/Inquiry /Comment\*

I requested a mask exemption from JetBlue Airways, which it refused to respond to. It then involuntarily canceled my ticket with no explanation. Correspondence to JetBlue's attorney was not responded to. The airline violated the Air Carrier Access Act by refusing my medical exemption and then retaliating

(Chars left: 2623)

#### Attach a file (Optional):

**File Name:** (Please click the "Browse" button to select the file and click "Upload File" button.)

No file selected.

#### Uploaded file/s

C:\fakepath\Faris JetBlue Documents.pdf [Remove file](#)

### Incidents of Sexual Misconduct:

If your complaint relates to or includes allegations of sexual misconduct, a copy of your complaint will be sent to the FBI. Sexual misconduct is a broad term. It encompasses any behavior or attempted behavior of a sexual nature that is committed without consent or with someone incapable of consent, or by force, intimidation, coercion, or manipulation. Sexual misconduct also includes physical or verbal advances or harassment of a sexual nature, or public indecent exposure.

**Note - Please only hit Submit once as our system sometimes takes a few moments to process your complaint.**

*A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2105-0568. Public reporting for this collection of information is estimated to be approximately 15 minutes per response, including the time for reviewing instructions, gathering the data needed, and completing and reviewing the collection of information. All responses to this collection of information are voluntary, and will be provided confidentiality to the extent allowed by the Freedom of Information Act (FOIA). Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Aviation Consumer Protection Division, Office of the Secretary, W96-473, 1200*

[Home](#) > [Resources](#) > [For Individuals](#) > [Aviation Consumer Protection](#) > [File a consumer complaint](#)

## Air Travel Service Complaint or Comment Form (Not Related to Airline Safety or Security Issues)

Please use this form to file a complaint or comment about service you received or requested from an airline or ticket agent that does not relate to airline [safety](#) or [security](#). This may include, but is not limited to, topics such as flight delays and cancellations, overbooking, disability, tarmac delays, baggage, discrimination, refunds, ticketing practices, family seating, frequent flyer programs, charter flights, privacy and air ambulance service.

The information that you provide in your complaint or comment form will be provided to the appropriate airline or ticket agent. More detailed information about DOT's complaint handling process, and other helpful information for air travelers is available [here](#).

Items marked with a \* are required.

### Personal Information:

I am  \*

Your Name:  \*

Title:  \*

Last Name:  \*

### Contact Information:

Address:

City:  State:

Zip Code:  Home Phone:

Either Email Address or Daytime Phone is required

Email Address:  
 \*

Daytime Phone:  
 \*

Verify Email Address:  
 \*

Would you like a copy of this submission sent to your email?

☒ Yes ☐ No

### Complaint/Comment Information:

#### Airline/Company:

SOUTHWEST AIRLINES  \* (If not listed or not applicable select "OTHER")

#### Flight Date (if applicable):

10/18/2021  (Date Format: mm/dd/yyyy)

#### Flight Itinerary (if applicable):

MCO-DCA Flight 1910 (Cities / Flight Number)

#### Description of Problem/Inquiry /Comment\*

I submitted a mask-exemption demand to Southwest. The airline refused to grant me a medical exemption even though I have a doctor's note. It then involuntarily canceled my ticket in retaliation for me asking for a mask exception, violating the Air Carrier Access Act by not accommodating my disability and then

(Chars left: 3000)

#### Attach a file (Optional):

**File Name:** (Please click the "Browse" button to select the file and click "Upload File" button.)

No file selected.

#### Uploaded file/s

C:\fakepath\Faris SW MCO-DCA.pdf [Remove file](#)

### Incidents of Sexual Misconduct:

If your complaint relates to or includes allegations of sexual misconduct, a copy of your complaint will be sent to the FBI. Sexual misconduct is a broad term. It encompasses any behavior or attempted behavior of a sexual nature that is committed without consent or with someone incapable of consent, or by force, intimidation, coercion, or manipulation. Sexual misconduct also includes physical or verbal advances or harassment of a sexual nature, or public indecent exposure.

**Note - Please only hit Submit once as our system sometimes takes a few moments to process your complaint.**

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[Home](#) > [Resources](#) > [For Individuals](#) > [Aviation Consumer Protection](#) > [File a consumer complaint](#)

## Air Travel Service Complaint or Comment Form (Not Related to Airline Safety or Security Issues)

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The information that you provide in your complaint or comment form will be provided to the appropriate airline or ticket agent. More detailed information about DOT's complaint handling process, and other helpful information for air travelers is available [here](#).

Items marked with a \* are required.

### Personal Information:

I am  \*

Your Name:  Title:  First Name:  \*

Last Name:  \*

### Contact Information:

Address:

City:  State:  \*

Zip Code:  Home Phone:

Either Email Address or Daytime Phone is required

Email Address:  
 \*

Daytime Phone:  
 \*

Verify Email  
Address:  
 \*

Would you like a copy of this submission sent to your email?

☒ Yes ☐ No



### Complaint/Comment Information:

#### Airline/Company:

SOUTHWEST AIRLINES  \* (If not listed or not applicable select "OTHER")

#### Flight Date (if applicable):

10/24/2021  (Date Format: mm/dd/yyyy)

#### Flight Itinerary (if applicable):

SDF-MCO Flight 4320 (Cities / Flight Number)

#### Description of Problem/Inquiry /Comment\*

I submitted a mask-exemption demand to Southwest. The airline refused to grant me a medical exemption even though I have a doctor's note. It then involuntarily canceled my ticket in retaliation for me asking for a mask exception, violating the Air Carrier Access Act by not accommodating my disability and then

(Chars left: 2654)

#### Attach a file (Optional):

**File Name:** (Please click the "Browse" button to select the file and click "Upload File" button.)

Faris SW SDF-MCO.pdf

#### Incidents of Sexual Misconduct:

If your complaint relates to or includes allegations of sexual misconduct, a copy of your complaint will be sent to the FBI. Sexual misconduct is a broad term. It encompasses any behavior or attempted behavior of a sexual nature that is committed without consent or with someone incapable of consent, or by force, intimidation, coercion, or manipulation. Sexual misconduct also includes physical or verbal advances or harassment of a sexual nature, or public indecent exposure.

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If you use the web complaint form above, we would welcome any comments that you may

From: airconsumer@dot.gov  
Subject: Airconsumer Acknowledgement  
Date: Jun 17, 2021 at 11:53:52 PM  
To: michaelfaris@me.com

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Thank you for contacting us concerning your air travel service issue. The U.S. Department of Transportation (DOT) seeks to ensure that airline passengers are treated fairly. Complaints and comments from consumers are helpful for determining whether airlines or ticket agents are complying with Federal aviation consumer protection and civil rights statutes and DOT regulations, and to track trends or spot areas of concern that warrant further action. Your complaint or inquiry will be assigned to an analyst for review and you will receive a more detailed acknowledgment.

The Department is receiving a high volume of complaints given the unprecedented impact of the 2019 Novel Coronavirus (COVID-19) public health emergency on air travel. As a result, the time to process complaints is taking longer than normal. We are working hard to provide the best support we can, but it may take several weeks to process your complaint. We apologize for the delay.

Thank you again for taking the time to contact us.

Office of Aviation Consumer Protection  
U.S. Department of Transportation

PERSONAL INFO:

Passenger - Mr Michael Faris [michaelfaris@me.com](mailto:michaelfaris@me.com)

---

**CONTACT INFO:**

160 Charlotte Circle Elizabethtown, KY 42701

Home Phone: 2707234944

Daytime Phone: 2707234944

**COMPLAINT INFO:**

Airline Code: UA

Flight Date: 06/17/2021

Flight Itinerary: None.

**Description of Problem/Inquiry/Comment:**

I have reached out to United Airlines to inquire about traveling on their airline without a mask. I have a mask exemption and I do not have covid. After a very lengthy conversation with an agent in customer service who appeared to not be at all familiar with airline policies, she said that I must submit their mask exception form to an email 7 days prior to travel. In accordance with 14 cfr 382, the airline cannot ask for more than a 72 hour advance notice in relation to a medical

disability. How is it legal for them to ask for a 7 day advance notice when the law states they may only ask for 72 hours advance notice for very specific special needs? None of which cover an individual who has a medical condition which makes

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it unsafe for them to wear a mask. I have submitted my mask exemption letter and a negative test to United and am waiting to hear back from there. My biggest complaint at the moment is the fact that they're asking for a 7 day advance notice. This is entirely illegal. They should be investigated for not following the CFR's in relation to traveling with a disability. The airlines are trampling on the basic human rights of individuals and it is not right. It must be stopped by the DOT who is in charge of verifying compliance. Thanks in advance.

This is System generated message, and a response to this email will not be delivered. 06/17/2021 23:47:16

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From: airconsumer@dot.gov  
Subject: Airconsumer Acknowledgement  
Date: Jun 19, 2021 at 11:23:55 PM  
To: michaelfaris@me.com

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Thank you for contacting us concerning your air travel service issue. The U.S. Department of Transportation (DOT) seeks to ensure that airline passengers are treated fairly. Complaints and comments from consumers are helpful for determining whether airlines or ticket agents are complying with Federal aviation consumer protection and civil rights statutes and DOT regulations, and to track trends or spot areas of concern that warrant further action. Your complaint or inquiry will be assigned to an analyst for review and you will receive a more detailed acknowledgment.

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Thank you again for taking the time to contact us.

Office of Aviation Consumer Protection  
U.S. Department of Transportation

**PERSONAL INFO:**

Passenger - Mr Michael Faris [michaelfaris@me.com](mailto:michaelfaris@me.com)

**CONTACT INFO:**

160 Charlotte Circle Elizabethtown, KY 42701

Home Phone: 2707234944

Daytime Phone: 2707234944

**COMPLAINT INFO:**

Airline Code: UA

Flight Date: N/A

Flight Itinerary: N/A

**Description of Problem/Inquiry/Comment:**

Hello, this is my second complaint against United Airlines for refusing to provide me service in connection with a disability. I have an exemption from my physician from wearing a mask due to severe sensory disability that could cause harm to myself or others. Per the CDC exemptions, I am absolutely exempt from this requirement. I have sent the negative covid tests and the mask exemption from my physician to United. They have reviewed and denied my service saying that I do not qualify. This is a direct violation of my rights under the ACAA and 14 CFR 382. A DOT Directive nor a CDC guideline gives this airline the right to disregard my disability and refuse me service in connection with a disability or the right to break



the law as it is written. Please investigate. To make matters worse, this airline has written a policy stating they want a 7 day advance notice but want the negative test to be within a 72 hours window. I'm no mathematician but how is an

individual supposed to provide a 7 day advance notice but require you to get results of a covid test within a 3 day window of travel. These policies have been written to set the passenger up for failure and ensure that it is not possible to

become exempt from wearing a mask. As the CFR states, no airline has a right to ask for advance notice in connection with a disability except in very strict circumstances. I should be able to show my exemption one time and then only provide proof that I don't have the virus moving forward and be automatically exempt. This is far too ridiculous. Must be stopped. This is a complete disregard for the law as it is written.

This is System generated message, and a response to this email will not be delivered. 06/19/2021 23:17:25

From: airconsumer@dot.gov  
Subject: Airconsumer Acknowledgement  
Date: Jul 26, 2021 at 3:11:48 PM  
To: michaelfaris@me.com

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Thank you for contacting us concerning your air travel service issue. The U.S. Department of Transportation (DOT) seeks to ensure that airline passengers are treated fairly. Complaints and comments from consumers are helpful for determining whether airlines or ticket agents are complying with Federal aviation consumer protection and civil rights statutes and DOT regulations, and to track trends or spot areas of concern that warrant further action. Your complaint or inquiry will be assigned to an analyst for review and you will receive a more detailed acknowledgment.

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Thank you again for taking the time to contact us.

Office of Aviation Consumer Protection  
U.S. Department of Transportation

PERSONAL INFO:

Passenger - Mr Michael Faris [michaelfaris@me.com](mailto:michaelfaris@me.com)



**CONTACT INFO:**

160 Charlotte Circle Elizabethtown, KY 42701

Home Phone: 2707234944

Daytime Phone: 2707234944

**COMPLAINT INFO:**

Airline Code: UA \*\*Correction AA

Flight Date: N/A July 20, 2021

Flight Itinerary: SDF TO DFW UA5506 \*\*AA5506

Description of Problem/Inquiry/Comment: \*\*American

Hello, this is my second complaint against United Airlines and ninth overall since I have began this battle. This morning on my flight from SDF to DFW I was once again forced to comply with the airlines onerous, illegal, discriminatory and unconstitutional mask mandate. Unfortunately, on this flight, I was not able to evade the flight attendants attention as easily as I usually do. After the third time of being instructed to put my mask on by Cheryl Reesy, I did. About five minutes later I became very nauseous and light headed. I could feel my self start to shake and my vision started to become blurry. I had been eating a sucker, which the flight attendant (Cheryl) informed me that I could not have, because it was preventing

me from wearing the mask. So, after holding on to the sucker for so long, mixed with the feeling I was starting to feel, I decided to get up from my seat and proceed to the forward galley. My intent was to throw the sucker away, then follow up with a visit to the lavatory so I could remove my mask and regain mental and physical awareness. When I got just forward of the second set of first class seats I lost all consciousness and fell rapidly to the floor. I was told by a passenger I was unconscious for approximately 10-12 seconds. The passenger also said the flight attendant did try to aid me as soon as possible. I do believe the flight attendant (Christine Boulet) saw me faint, as when I came to, she mentioned how startled and shocked she was by what had happened. Christine said she was so worried that she was considering checking my pulse and performing CPR. The flight attendants, after learning of my medical exemption and reviewing the letter from my physician, instructed me not to put the mask back on, as they didn't want it to happen again. Two passengers verbally announced they were scared. When the people witness to the incident learned of the fact that the airline knew this could happen and forced me to take the risk anyway, they mentioned they were truly disgusted. They offered to file DOT complaints as well and I instructed them on how they could follow through with such. When falling, I hit my head on the galley cart and then again on the floor. Both of my knees are very sore from catching the abrupt fall without brace. My right shoulder is very

sore and must have smashed a seat armrest. When I got to my connecting flight in Dallas, I approached the gate agent and let her know what had happened. I showed her my exemption and she called a manager. They refused to accommodate me again and forced me to wear a mask to board my flight from DFW to ONT. This negligence and appalling behavior by the airlines must end as abruptly as my face smashed into their aircraft floor. These airlines need to immediately allow any passenger with exemptions to board without question or notice. I have now been caused physical and mental injury and pain! At what point do we decide enough is enough? Shame!!!

**This is System generated message, and a response to this email will not be delivered. 07/26/2021 15:04:52**

From: airconsumer@dot.gov  
Subject: Airconsumer Acknowledgement  
Date: Aug 19, 2021 at 1:29:12 PM  
To: michaelfaris@me.com

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Thank you for contacting us concerning your air travel service issue. The U.S. Department of Transportation (DOT) seeks to ensure that airline passengers are treated fairly. Complaints and comments from consumers are helpful for determining whether airlines or ticket agents are complying with Federal aviation consumer protection and civil rights statutes and DOT regulations, and to track trends or spot areas of concern that warrant further action. Your complaint or inquiry will be assigned to an analyst for review and you will receive a more detailed acknowledgment.

The Department is receiving a high volume of complaints given the unprecedented impact of the 2019 Novel Coronavirus (COVID-19) public health emergency on air travel. As a result, the time to process complaints is taking longer than normal. We are working hard to provide the best support we can, but it may take several weeks to process your complaint. We apologize for the delay.

Thank you again for taking the time to contact us.

Office of Aviation Consumer Protection  
U.S. Department of Transportation

PERSONAL INFO:

Passenger - Mr Michael Faris [michaelfaris@me.com](mailto:michaelfaris@me.com)

**CONTACT INFO:**

160 Charlotte Circle Elizabethtown, KY 42701

Home Phone: 2707234944

Daytime Phone: 2707234944

**COMPLAINT INFO:**

Airline Code: UA

Flight Date: 08/16/2021

Flight Itinerary: LTD9R8

**Description of Problem/Inquiry/Comment:**

Hello, I am writing today to file my 4th complaint against United and 10th complaint overall. I have still yet to receive a response from the DOT regarding my very first complaint in April of 2021. This complaint is exactly as the rest. The airlines are still refusing me service in connection with a disability. I had sent a mask exemption letter to United airlines for the flight referenced above. I also courtesy copied two representatives with the DOT. The email I sent was CC'd to Donald Day, Alex Taday and Catherine Little. One of them returned as unsent. I believe it was Donald Day. In the email I included the letter which exempts me from wearing a mask and all applicable CFRs that the airline must comply with in relation to this



incident. I also included the [CDC.gov](https://www.cdc.gov) exemption which I am protected under. I travel every 12 days. How is it that I can go through TSA and enjoy the access to every airport in the country without wearing a mask due to ADA protection, but a privately owned airline, who has no authority to make such a rule on their own, can deny me service in connection with a disability? There are specific Federal Regulations that they must abide by as voted into law by elected representatives. A mask mandate is not a federal law and you cannot take a one size fits all approach. They must provide the same service to a disabled person as someone who is not disabled. They are not abiding by actual law but discriminating against individuals who have done their due diligence to try and give them advance notice, which by law they cannot even ask for. It is completely unlawful, discriminatory and absolutely should be stopped by the DOT. There are 4 federal lawsuits filed against the airlines as we speak, to overturn their ability to act in such a manner. In the meantime, the DOT should be enforcing the laws as they are written, and fining the airlines for their atrocities. This will not be my last complaint I am sure. Please fix this already. The people are counting on folks like you to defend and uphold our individual rights and freedoms. Thanks in advance.

From: airconsumer@dot.gov  
Subject: Airconsumer Acknowledgement  
Date: Oct 23, 2021 at 8:37:20 AM  
To: michaelfaris@me.com

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Thank you for contacting us concerning your air travel service issue. The U.S. Department of Transportation (DOT) seeks to ensure that airline passengers are treated fairly. Complaints and comments from consumers are helpful for determining whether airlines or ticket agents are complying with Federal aviation consumer protection and civil rights statutes and DOT regulations, and to track trends or spot areas of concern that warrant further action. Your complaint or inquiry will be assigned to an analyst for review and you will receive a more detailed acknowledgment.

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Thank you again for taking the time to contact us.

Office of Aviation Consumer Protection  
U.S. Department of Transportation

**PERSONAL INFO:**

Passenger - Mr Michael Faris [michaelfaris@me.com](mailto:michaelfaris@me.com)

**CONTACT INFO:**

160 Charlotte Circle Elizabethtown, KY 42701

Home Phone: 2707234944

Daytime Phone: 2707234944

**COMPLAINT INFO:**

Airline Code: UA

Flight Date: 10/21/2021

Flight Itinerary: UA1422

**Description of Problem/Inquiry/Comment:**

Hello, it's me again.... For the 12th time. I have once again endured physical injury at the hands of United Airlines and it's illegal FTMM. On 10/19/2021 I filed a lawsuit in the 6th circuit court of appeals against the TSA and it's illegal enforcement of the FTMM. When I tried to check in to my flight with United, I was informed my reservation required special handling. When I approached the ticket counter to get my ticket, the gate agent called the TSA and their corporate security department. Much to my surprise, I was informed I've been permanently added to the "SSSS" (secondary security screening selection) list. I am sure I don't have to explain what that means. I have already filed with the DHS,



requesting to be immediately removed from this terrorist watch list. I have been flying commercially every 12 days for the last 3.5 years and I have never been selected for this until two days after I filed a lawsuit against TSA. With all this being said, I went through the extensive TSA screening. I was then escorted by three TSA officers and the TSA Manager of ONT airport to the flight mentioned above. Once we arrived at the boarding gate to scan my ticket, I was instructed by a United agent to wear a mask. I put the mask on and began to board the plane. Once onto the jet bridge, about halfway to the aircraft, I fainted. I injured my left knee and left elbow during the fall and smashed my face on the ground. This is the second time I've endured physical injury while doing business with United because of their illegal enforcement of the FTMM. This is due to the heightened anxiety of the harassment from TSA and the fact that I am medically exempt from wearing a mask. This airline continues to disregard my disability. They also refused to honor the flight that I had booked, citing that they would not let me board the aircraft because I fainted. This is blatant discrimination of a person with a disability that qualifies as such under the ADA. United continues to disregard the rule of law as prescribed by the ACAA and 14 CFR 382. It also appears that United, American, Southwest, JetBlue, TSA, DHS and quite possibly the DOT are conspiring against me due to this disability, by adding me to a terrorist watch list. I have never given any credible reason to be placed on such a

high profile watch list. This is also a blatant disregard for the law and discrimination against a person with a disability. Your agency has an obligation to address this matter immediately. As I mentioned in the last complaint, if the individuals in this agency continue to allow these airlines to treat their passengers unlawfully, they will be held personally responsible in the court of law. As you may know, my senator (Rand Paul) is already tracking your inability to settle these type of issues in a timely manner. Your agency is failing its lawful duty to hold the airlines accountable for its illegal actions against their passengers.

This is System generated message, and a response to this email will not be delivered. 10/23/2021 08:29:52

RAND PAUL  
KENTUCKY

United States Senate

WASHINGTON, DC 20510

July 27, 2021

Mr. Michael James Faris  
160 Charlotte Circle  
Elizabethtown, KY 42701-7312

Dear Mr. Faris:

Thank you for contacting me with your request for assistance. I am in receipt of an interim response from the U.S. Department of Transportation (DOT) regarding the inquiry I made on your behalf. I appreciate this opportunity to assist you and have enclosed the correspondence I received for your review.

Just as soon as I receive a final response from the DOT, I will contact you again. In the meantime, if you have any questions or need additional assistance, feel free to contact my Constituent Service Representative, Amy Bee, at 270-782-8303. My Representative will be glad to continue to assist you on my behalf.

Sincerely,

A handwritten signature in black ink that reads "Rand Paul". The signature is fluid and cursive, with the first letters of "Rand" and "Paul" being capitalized and prominent.

Rand Paul, M.D.  
United States Senator



**U.S. Department of  
Transportation**

Office of the Secretary  
of Transportation

GENERAL COUNSEL

1200 New Jersey Ave., S.E.  
Washington, DC 20590

July 16, 2021

The Honorable Rand Paul  
United States Senate  
1029 State Street  
Bowling Green, KY 42101

Re: Michael James Faris

Dear Senator:

Thank you for writing to us concerning your constituent's air travel problem. I can understand your interest in the issue your constituent has raised.

Mr. Faris has previously contacted this office regarding his complaints with American Airlines and we have received a reply from the carrier. However, due to the time necessary to review his case and the hundreds of others that we receive each year, our response to him will likely take some time. Once our review is concluded, he will receive a copy of the findings. We appreciate his patience while we complete this process.

We have entered your constituent's complaint in our computerized industry monitoring system, and the company will be charged with the complaint in our monthly *Air Travel Consumer Report*. This report is distributed to the industry and made available to the news media and the general public so that both consumers and air travel companies can compare the complaint records of individual airlines and tour operators. This system also serves as a basis for rulemaking, legislation and research. We also use these complaints to track trends or spot areas of concern which we feel may warrant further action in the future.

Useful consumer information for air travelers, including the above referenced complaint report and our pamphlet *Fly-Rights, a Consumer's Guide to Air Travel*, can be found on our website. The address for that site is <https://www.transportation.gov/airconsumer>. Thank you for taking the time to contact us.

Sincerely,

Donald K. Day  
Team Leader  
Office of Aviation Consumer Protection

[lucas.travel](https://lucas.travel)

## **TSA Adds to Terrorist Watchlist Kentucky Man Who Sued Agency 2 Days Ago over Mask Mandate – Quest for 243**

8-10 minutes

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***Frequent Flyer Searched Extensively,  
Denied Boarding United Flight after Fainting***



Michael Faris at Ontario, California, airport today

Oct. 21, 2021

By LUCAS WALL

ONTARIO, California – The Transportation Security Administration appears to have placed a frequent flyer on its terrorist watchlist after he [filed suit Tuesday in the U.S. Court of Appeals for the 6th Circuit](#) in Cincinnati challenging the [Federal Transportation Mask Mandate](#).

Michael Faris, a helicopter maintenance supervisor, is trying to fly home today to Elizabethtown, Kentucky, from a work assignment near Ontario, California. When he tried to check in on the United Airlines mobile app, he received a message that his “reservation requires special handling. Please check in at an airport kiosk.” When he used a United kiosk at Ontario airport, it displayed a message to “Please collect the printed document and see a United representative for further assistance.”

It took United agents a long time on the phone to check Faris in, during which a TSA officer responded to the counter. He was then escorted to the security checkpoint, where she showed his mask-exemption letter from his physician. TSA officer Steven Pointer and supervisor Ramona Baker reluctantly allowed Faris into the screening area without a face covering.

TSA then put him through a lengthy process known as “Secondary Security Screening Selectee,” noted on his boarding pass by the code “SSSS.” During the extended search, he was patted down for more than five minutes and every item was removed from his carry-on bag. TSA officers even swabbed inside his wallet.



Faris' boarding pass marked "SSSS"

Three TSA officers walked Faris to the gate, where United was holding the airplane bound for Denver for him. A United agent told him he had to put on a mask before stepping into



the jetway, ignoring his [medical exemption](#). While walking down the jetbridge, Faris, who suffers from Generalized Anxiety Disorder, had a panic attack and fainted, collapsing to the floor. His elbow and knee were bruised.

The TSA officers responded and called 911, after which four airport police officers and four paramedics arrived. Meanwhile United closed the boarding door said Faris could not fly today because of his fainting episode. He had to rebook with another airline and is currently enduring a five-hour delay.

“It seems awfully suspicious that just two days ago I filed suit in the 6th Circuit against TSA, then all the sudden I was put on a terrorist watchlist,” Faris said while waiting for his new flight home to Louisville on via Dallas. “I’m in a little bit of pain from the fall, I’m mentally exhausted, and I feel betrayed and belittled – completely disrespected in the sense that TSA and the airlines are making me feel like I should not be a member of society because I suffer from a medical condition that precludes me from safely wearing a mask.”

When passing through TSA’s checkpoint today, one female officer belittled Faris by telling a colleague that he’s “a piece of work,” “give me a break,” and “not cool.” These remarks were captured on Faris’ phone at [Minute 36 of an audio recording of today’s incidents](#). Faris immediately filed a [complaint with the Department of Homeland Security](#), TSA’s parent agency.

Faris is part of a group of 12 disabled flyers and a former flight attendant from nine states and the District of Columbia who [filed six lawsuits Tuesday around the country](#) charging TSA with exceeding its legal authority by continuing to extend a requirement that all public-transportation passengers don face masks. Faris is the lead petitioner in the [6th Circuit case](#), which includes three others.

“TSA’s function is limited by law to address security threats. Congress has never given the agency power to regulate the public health and welfare,” the petitioners argue. “Wearing face masks has nothing whatsoever to do with transportation security.”

Faris has to fly every 12 days for work. He is medically exempt by a neurologist from wearing a mask, but airlines have consistently refused to grant him an exception because of the FTMM. Faris was injured on a United Airlines plane earlier this year when blocking his breathing caused him to faint during a flight. He smashed his face on a galley cart.

“As a person who has endured physical injury by the airlines due to these unconstitutional mandates, I am standing up for people like me,” Faris said. “We cannot allow TSA to continue down the path of discriminating against Americans with medical conditions who cannot wear a face covering.”

Fellow litigants denounced TSA’s actions blacklisting Faris for asserting his legal rights in

court and fear they also have been deemed potential terrorists.

“Our own government is being weaponized against us now simply for exercising our rights of redress, a fundamental constitutional protection,” said Kleanthis Andreadakis of Henrico County, Virginia, lead petitioner in the [4th Circuit case against TSA's mask mandate](#). “This is yet another example of how incompetent the Biden Administration is. It cannot control how any of its organizations behave. Let this be a warning to all Americans: This can happen to anyone. Stop being silent and stand up against this nonsense.”

Petitions for review of TSA's mask mandate were filed Tuesday: [Abadi v. Transportation Security Administration](#), case number pending (2nd Circuit); [Andreadakis v. Transportation Security Administration](#), No. 21-2173 (4th Circuit); [Marcus v. Transportation Security Administration](#), No. 21-60808 (5th Circuit); [Faris v. Transportation Security Administration](#), No. 21-3951 (6th Circuit); [Eades v. Transportation Security Administration](#), No. 21-3362 (8th Circuit); and [Wall v. Transportation Security Administration](#), No. 21-13619 (11th Circuit).

Lucas Wall, lead petitioner in the [11th Circuit case](#), said all 13 litigants plan to file emergency motions in the next week to get Faris removed from TSA's terrorist list and to make the agency disclose to the courts whether any others suing it have been blacklisted.

“TSA equating law-abiding Americans exercising their right to challenge an illegal and unconstitutional agency mandate in court to terrorists is deeply disturbing and represents unlawful retaliation,” Wall said. “TSA must immediately remove Michael and any other petitioner from its watchlist or we will seek court orders to stop this insanity.”

Michael Seklecki of Sanford, Florida, has a 4-year-old autistic son who needs to fly often to Massachusetts for specialized medical care. Seklecki can't wear a mask because of his anxiety disorder. Covering his face makes it very uncomfortable for him to breathe. His son, identified in court papers by his initials M.S., also can't tolerate having his breathing blocked.

“Because of the FTMM, airlines have given Mr. Seklecki and his son a hard time about getting mask exemptions, almost making them miss flights that would cause harm to M.S.'s medical care,” according to the [11th Circuit petition](#). “This is despite M.S.'s mask-exemption form signed by a licensed pediatrician.”

Seklecki called it appalling TSA is not only denying Americans with disabilities accommodations but is now vindictively going after anyone who sues it.

“This behavior by the government is totally despicable,” he said.

The FTMM represents the greatest systemic discrimination against the disabled since the Americans with Disabilities Act was passed in 1990. Petitioners argue TSA's mandate



violates not only the ADA but also the Air Carrier Access Act; Rehabilitation Act; Food, Drug, & Cosmetic Act; their constitutional right to travel; and other federal laws and international treaties. By regulating intrastate transportation and commandeering state employees to enforce the mask mandate, TSA's orders also violate the 10th Amendment to the Constitution, according to the petitions.

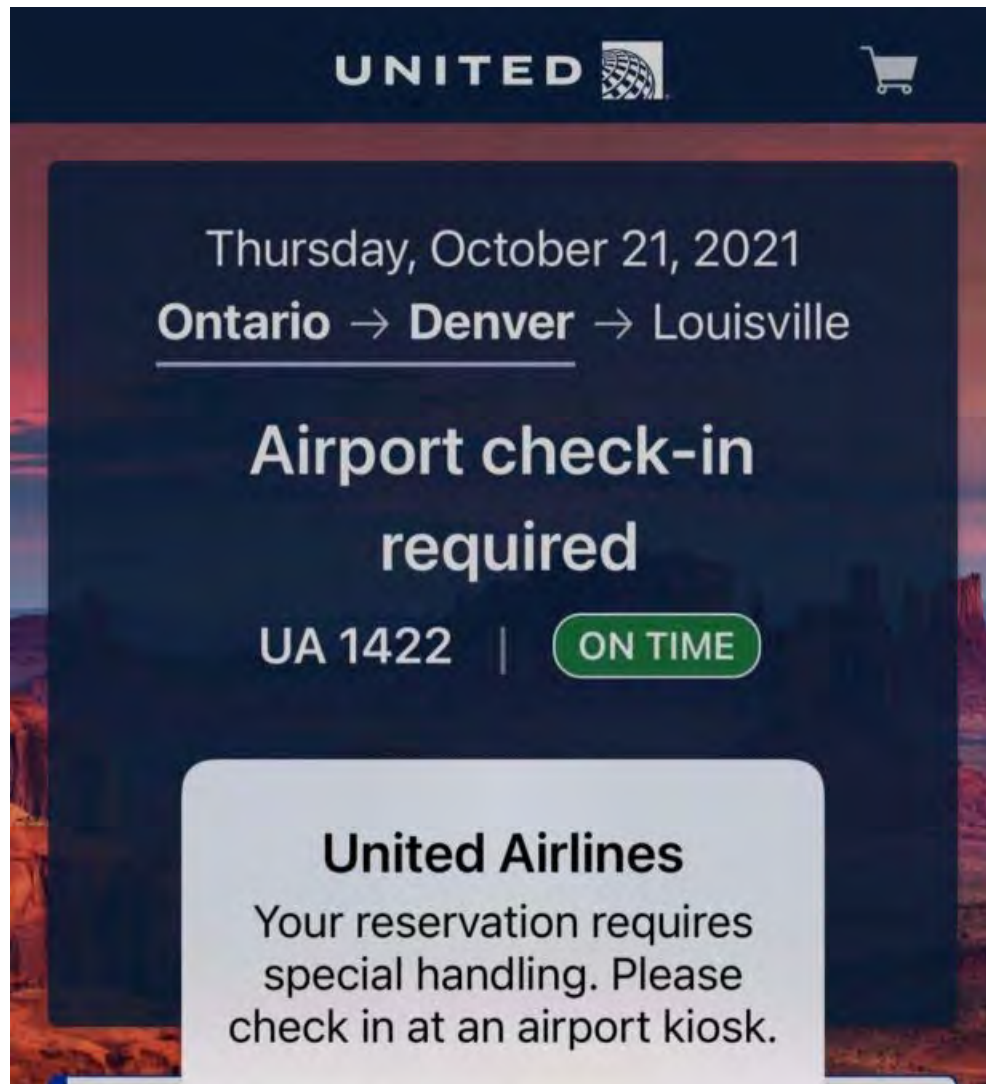
Donate to our legal fund on GoFundMe: [Help End Federal Transportation Mask Mandate](#)

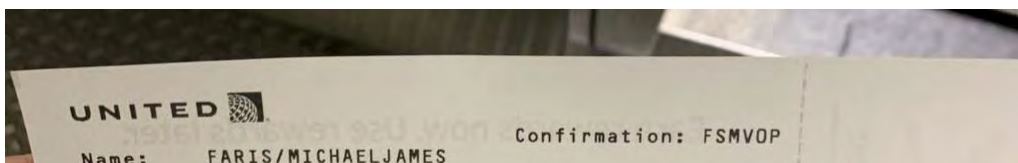
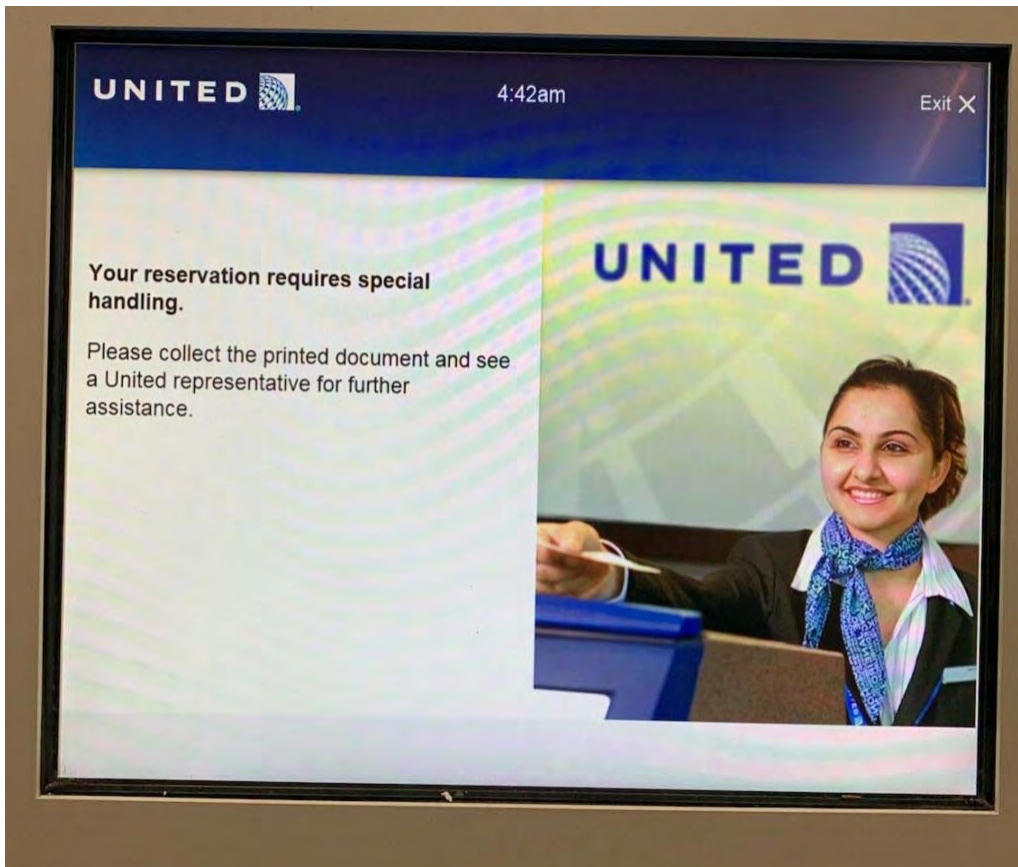
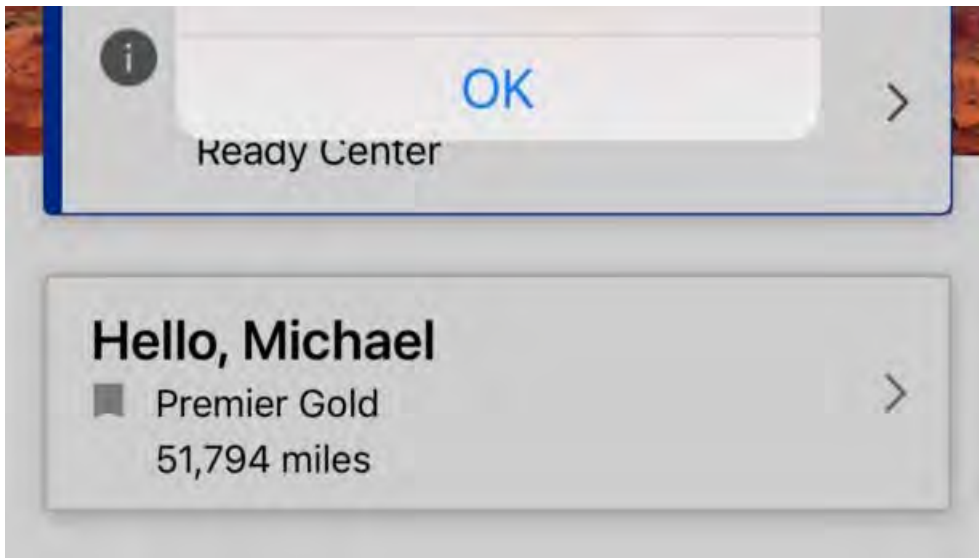
Join our Facebook group: [Americans Against Mask Mandates](#)

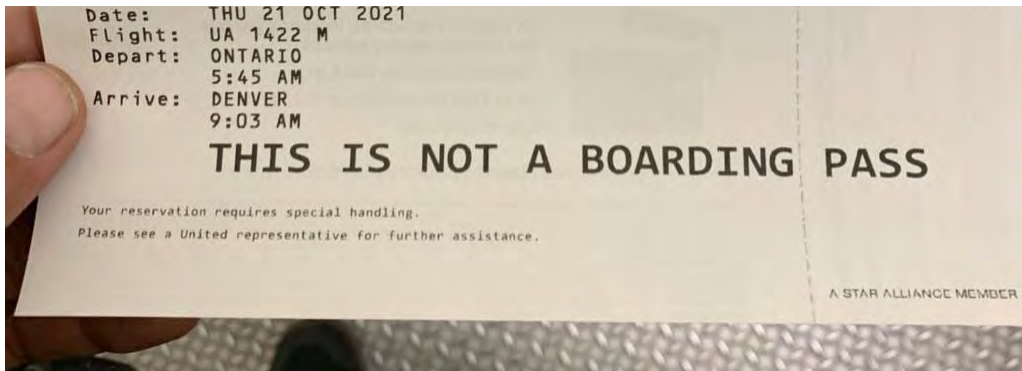
View: [223 Studies, Articles, & Videos Describe How Masks Don't Reduce COVID-19 Spread But Harm Human Health](#)


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### Photo Gallery







  
**New York Neurology & Pain  
MEDICINE**  
**New York Neurology and Medical Services, P.C.**  
Dr. Russell Surasky FAAN, ABPM, Board Certified Neurologist  
15 Barstow Road ♦ Great Neck, N.Y. 11021 ♦ 516.487.9414 ♦ telefax: 516.487.2302

Date: 05/13/2021

Re: Michael Faris [REDACTED]

Michael Faris has been under my medical care since April 24, 2021. The patient has a medically diagnosed mental disability that qualifies as such under the American Disabilities Act and because of the disability, he can not safely wear a mask for the duration of travel. He is diagnosed with Generalized anxiety disorder. The patient is currently being treated for this disability. Wearing a mask has led to severe panic attacks and near syncope. It is my recommendation that he not be mandated to wear a mask as it has proven to be detrimental to his health.

If you require any further information or documentation please do not hesitate to contact my office.

Sincerely,



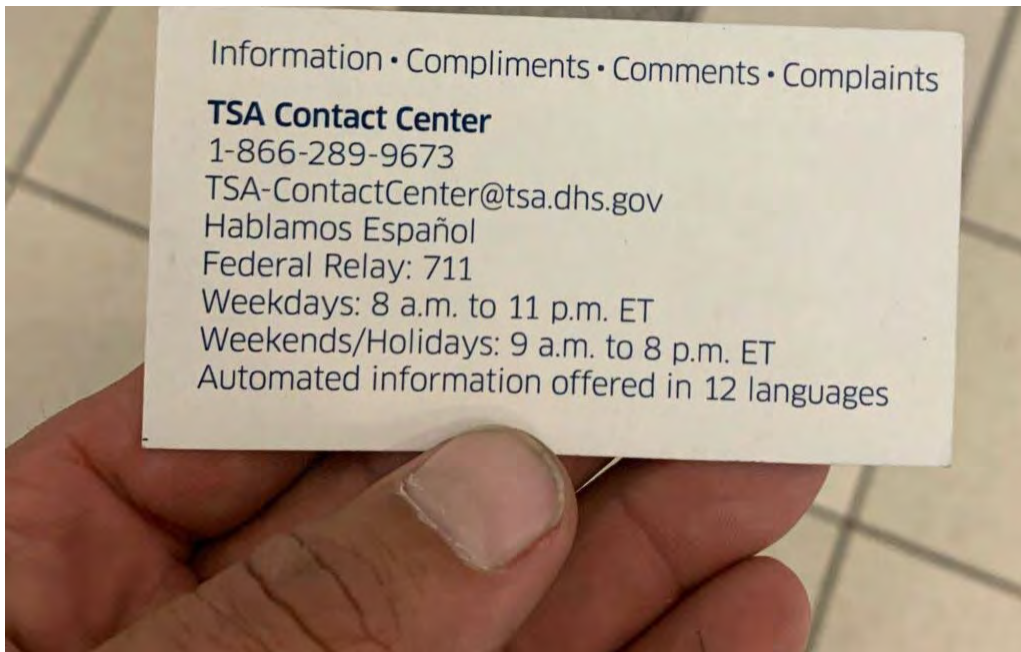
Dr. Russell Surasky, ABPM, ABAM  
Board Certified Neurologist

Dr. Russell Surasky FAAN, ABAM  
Board Certified : Neurologist  
Board Certified: Addiction Medicine  
LIC # [REDACTED]  
DEA # [REDACTED]

- Michael Faris Mask Medical Exemption

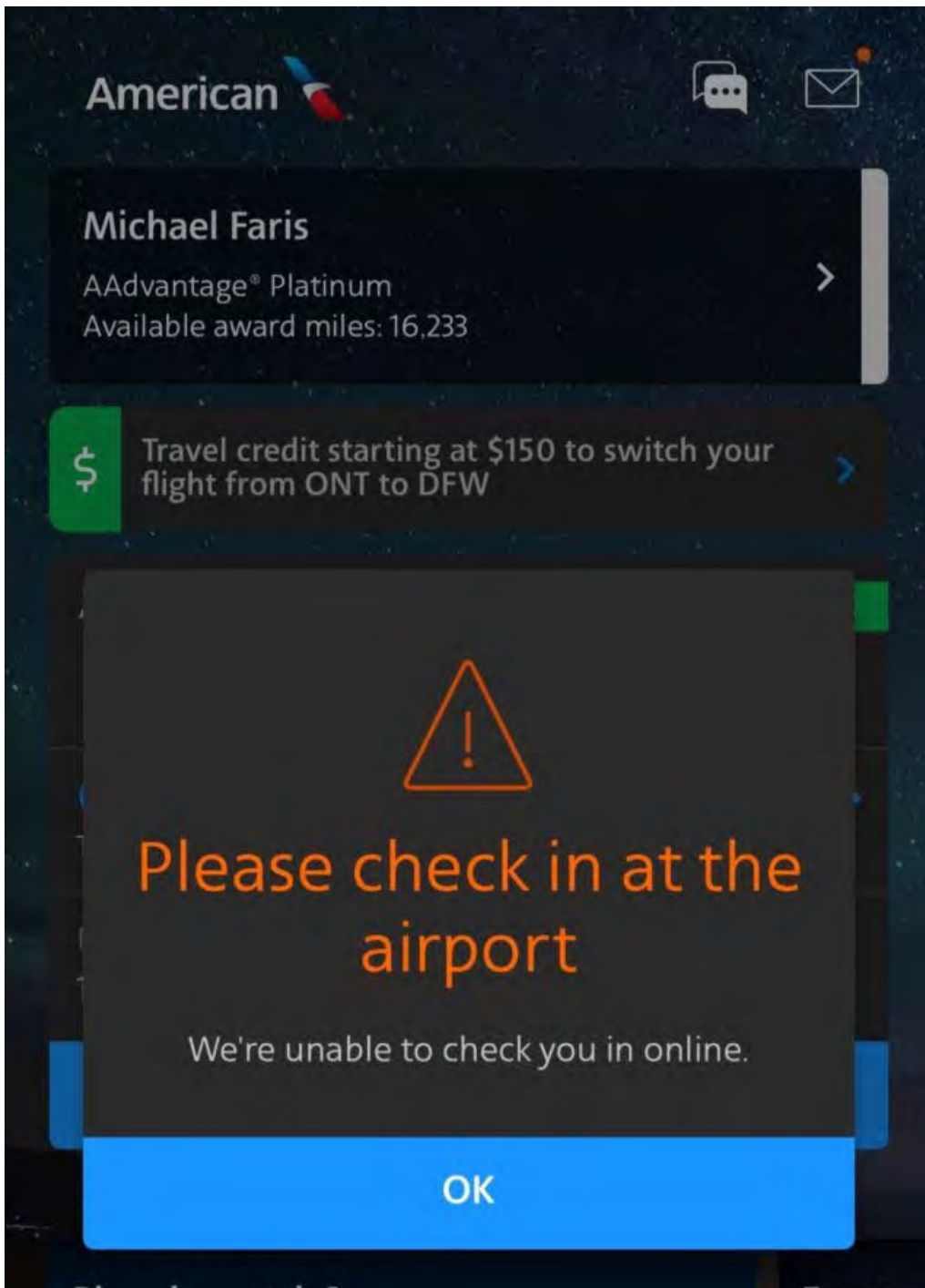












[lucas.travel](https://lucas.travel)

## American Calls Police, Bans Disabled Man for Asking for Mask Exemption after Fainting – Quest for 243

8-10 minutes

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***Kentucky Frequent Flyer Blacklisted for***

***Suing TSA Tuesday over Mask Mandate***

Oct. 22, 2021

By LUCAS WALL

ONTARIO, California – American Airlines appears to have banned a Kentucky frequent traveler who attempted to check in Thursday for a flight from Ontario to Louisville via Dallas after he asked for a mask exemption and noted he had fainted earlier that morning in the airport when forced to muzzle himself.

“I warned you that putting this mask on could possibly make me faint and you’re okay with that?” Michael Faris of Elizabethtown, Kentucky, asked the American check-in agent, who refused to disclose her name. Faris [captured the incident on video](#).

“I’m calling the police,” the American agent said in response to Faris’ mask-exemption request. “They’re going to come talk to you cause I’m done talking to you.”





American Agent calls the police on Michael Faris at ONT

Faris then said on the video: “This lady has basically said even after I told her that making me wear a mask makes me faint – I’ve already done it twice on these airlines – that she is okay and will not [check me in] until I put a mask on. But she’s okay with me being injured if that’s what it takes to [check me in]. It’s wrong.”

Earlier Thursday morning, Faris – who [sued the Transportation Security Administration](#) on Tuesday challenging the [Federal Transportation Mask Mandate](#) in the U.S. Court of Appeals for the 6th Circuit in Cincinnati, learned he [had been placed on TSA’s terrorist watch list](#) for filing the lawsuit. After enduring a lengthy special security screening, United Airlines made Faris put on a mask to board his flight to Louisville via Denver. He fainted in the jetway during a panic attack, scraping his elbow and knee. United refused to allow him on the flight because of his medical condition.

Faris booked a new flight for five hours later on American to fly home from his work assignment in California. When he tried to check in, he asked for a mask exemption. American’s agent told him no and ordered him to put a mask on even though American has no jurisdiction over airport property. Faris said he would put on a mask only when stepping into American’s airplane. The agent responded by calling American’s corporate security office.

“After finishing the conversation with the security department, she informed me that if I did not put the mask on immediately that she would not give me my boarding pass,” Faris said. “That’s when the agent said she didn’t have a problem with the possibility that I could be injured. I must wear the mask or I would not get my ticket.”

The customer-service agent became combative and called the police in the [incident recorded by Faris](#). He is [medically exempt by a neurologist from wearing a mask](#), but airlines have consistently refused to grant him an exception because of the FTMM.

As Ontario cops responded, Faris spoke with American supervisor Edward Norman III. Police stood by observing the conversation but told Faris he wasn’t doing anything wrong and American had no cause to summon them.

Norman informed Faris that his booking had been cancelled by American security with a note “do not rebook.” Norman then said because he knew that wearing a mask could cause Faris cause to faint again, he was not comfortable allowing him to rebook and



board another flight. Norman, American's legally designated Complaint Resolution Officer at ONT, said he was not willing to help Faris obtain a mask exemption, in what Faris asserts is a violation of the [Air Carrier Access Act](#), a federal law prohibiting airlines from discriminating against passengers with disabilities.

Faris was forced to go to LAX airport to take another airline home to Kentucky. During the COVID-19 pandemic, he has filed seven complaints against American's mask policies with the U.S. Department of Transportation. None have been resolved.

ONT airport is a public facility owned by the Ontario International Airport Authority, formed by the city of Ontario and San Bernardino County.

"The airlines do not own property at the airport. The lobby areas, jetbridges, and lounges are all leased from the airport owner," Faris said. "Airport facilities are taxpayer funded, meaning we have certain rights protected under the Americans with Disabilities Act. It's absurd that a private business like American Airlines thinks it has authority to control what a person with an anxiety disorder – or any other passenger – has to wear on his face in the common areas of an airport."

Faris described his experiences getting blacklisted by TSA, United, and American as mentally exhausting.

"There is no compassion, decency, or understanding from these agents," said Faris, who typically flies at least twice a month for his job as a helicopter maintenance supervisor. "I have a platinum frequent-flyer status with American Airlines. You would think that amount of loyalty would count for something. After today's events, it is clear that their customers mean nothing more to them than another couple dollars."

Faris is part of a group of 12 disabled flyers and a former flight attendant from nine states and the District of Columbia who [filed six lawsuits Tuesday around the country](#) charging TSA with exceeding its legal authority by continuing to extend a requirement that all public-transportation passengers don face masks. Faris is the lead petitioner in the 6th Circuit case, which also includes three Ohio residents.

"TSA's function is limited by law to address security threats. Congress has never given the agency power to regulate the public health and welfare," the petitioners argue. "Wearing face masks has nothing whatsoever to do with transportation security."

Faris has to fly every 12 days for work. He was injured on a United Airlines plane earlier this year when blocking his breathing caused him to faint during a flight. He smashed his face on a galley cart.

"As a person who has endured physical injury by the airlines due to these unconstitutional mandates, I am standing up for people like me," Faris said. "We cannot allow TSA to

continue down the path of discriminating against Americans with medical conditions who cannot wear a face covering.”

Fellow litigants denounced American’s action blacklisting Faris for doing nothing more than asking for a medical exemption from its mask mandate.

Charity of Anderson of Toledo, Ohio, who is part of Faris’ case before the 6th Circuit, described his experiences at ONT on Thursday as horrific.

“Is this where we are now in America?” she asked. “Open retaliation by the government and American Airlines against disabled people who sue for their rights to travel? Being labeled a threat for addressing grievances through legal channels?”

Tony Eades of Warsaw, Missouri, is involved in a [class-action lawsuit against seven airlines](#) regarding their illegal mask policies after he was thrown off a Southwest Airlines flight earlier this year for removing his mask so he could breathe. He suffers from asthma and Post-Traumatic Stress Disorder after being shot while serving in the military in Iraq. Eades is also the petitioner in the lawsuit filed Tuesday against TSA’s mask mandate with the [U.S. Court of Appeals for the 8th Circuit](#) in St. Louis.

“My experience wasn’t as bad as what Michael endured yesterday, but I do know how degrading it feels to be blocked from flying because of not medically being able to tolerate blocking my breathing,” Eades said. “It’s horrible to have the airlines make a scene over a disabled person who can’t muzzle.”

Donate to our legal fund on GoFundMe: [Help End Federal Transportation Mask Mandate](#)

Join our Facebook group: [Americans Against Mask Mandates](#)

View: [223 Studies, Articles, & Videos Describe How Masks Don’t Reduce COVID-19 Spread But Harm Human Health](#)

**Michael Faris**  
**Ontario International Airport**  
**Disability Complaint Form**  
**Oct. 23, 2021**

**"Nature of Incident"**

Hello, I am writing today to inform you that American Airlines has flat out refused me service at Ontario International in connection with a disability. I have a medical exemption from my physician explaining that I should not wear a mask, as it is detrimental to my health. I have fainted and been injured twice on United Airlines watch and now refused service by American because of this disability.

On this particular day, I had attempted to use United Airlines service at ONT in terminal 2. When I had arrived to check in, I was informed that I have recently been put on the "SSSS" list. On October 19, 2021, two days prior to this incident, I filed a lawsuit against the TSA in the sixth circuit court of appeals in relation to their illegal FTMM. One could only hope that me being placed on this list is a coincidence, but I highly doubt it. I have traveled every twelve days for the last three and half years, and have never been put on this list until this lawsuit was filed. With all this being said, United Airlines could be added to this complaint as well.

After I completed this discriminatory TSA screening, I was escorted to my United flight by three TSA officers. Mind you, I did not wear a mask to check in at United, nor through the TSA screening, as the TSA manager honored my medical exemption through the screening as they normally do. When I scanned my boarding pass at United's gate, the agent instructed me to wear a mask, where I abided by this illegal request. After donning the mask and walking halfway down the jet bridge to board the aircraft, I had an anxiety attack and fainted. I injured my left knee and left elbow.

After this Incident, United refused to honor my booked ticket, citing that they would not allow me to fly because I had just fainted. Keep in mind, I have tried to follow these airlines illegal policies to be granted a mask exemption on many occasions and they have refused me at every turn. After this incident, I booked a ticket with American Airlines, in hopes that I could still manage to get home on the 21st. When I approached the American Airlines ticket counter, the agent demanded that I put on a face mask. I made her aware that I had a medical exemption and that the ONT airport is required to follow laws spelled out in the ADA.

American Airlines does not own the common area of checking in for a flight in any airport. The airport property is tax payer funded and is required to follow the ADA laws. I informed her that I would put the mask on when I entered their property and their property alone (the aircraft). The face mask mandate is not a "Federal Law" as it illegally portrayed to the patrons of this airport property. The ticket agent had told me that if I did not put a face mask on at the ticket counter, that she would not give me my boarding pass. I explained to her that I would work with her, but she had to understand that there was a possibility that I could faint there at the ticket counter. When I asked her if she was willing to accept that, she responded with "yes, you must wear the mask at this counter or I will not give you your boarding pass".

After stating my case and making her aware of the laws that she was breaking, she very rudely responded that she was going to call the police. Immediately afterward, Edward Norman III came out to speak with me from the office behind the baggage carousels. Edward is an American Airlines manager and the ACAA complaint resolution official for American Airlines. Edward and I spoke at length about the ACAA and 14 CFR 382 laws that his airline is failing to follow. Edward said he was very aware of these laws and had no intentions in helping me get a mask exemption with his airline.

He referred me to the same Special Assistance department who continually refuses to exempt me based on this medical condition. When I asked him why they would not honor my ticket and allow me to board, even though I agreed to wear a mask on their property, he informed me that he would not be comfortable allowing me to fly knowing that there was a possibility that I could faint and be injured. Keep in mind, the fainting is due to anxiety which is caused by wearing that mask that he would not assist me in getting an exemption from. In this scenario, you must understand that the airlines have no authority over passengers inside of this public space.

All of the facilities they use at this airport is space that is leased to them from the airport authority. In the airport facility, I am protected under ADA law. This is why the TSA allows me to be screened without a mask and exactly why when the police did arrive, they never once tried to enforce the mask policy upon me. This is illegal discrimination against me that is directly related to a disability. This behavior by your customers must be stopped immediately.

### **“Proposed Remedy”**

As an American with a disability that qualifies as such under the American Disabilities Act, this facility is required to protect my rights. You must hold your customer accountable to their illegal discriminatory practices against your patrons. I demand that American and United Airlines have their lease suspended from doing business within ONT until they agree to follow the laws prescribed in the ADA.

**From:** AmericanAirlinesCustomerRelations@aa.com  
**Date:** October 27, 2021 at 6:29:08 PM EDT  
**To:** michaelfaris@me.com  
**Subject:** Your Response From American Airlines

**American Airlines** 



October 27, 2021

Dear Mr. Faris:

We appreciate you reaching out to us to share your recent travel experience and taking the time to speak with me.

I was sorry to hear of your disappointed with the requirement for passengers to wear masks at airports and on board our flights. As a part of our ongoing commitment to prioritizing customer and team member well-being in response to the COVID-19 pandemic, all customers traveling are required to wear a face covering throughout the entirety of their travel journey, and we may deny boarding to customers who don't comply. There are limited and narrow exemptions to this mandate, including for children under the age of two and for those with disabilities that prevent them from safely wearing a mask. We have an internal documentation process that records incidents when customers do not follow this requirement. As part of this process, we may also deny future travel for customers who refuse to wear a face covering in-flight.

Our Corporate Security team has reviewed a recent incident relating to our policy on face coverings. Our records indicate due to a recent incident at the ticket counter in Ontario, California for flight 1820 to Dallas/Fort Worth on October 21st, this and future travel on all American Airlines flights, including all code-share flights, will be denied and future reservations will not be honored because you violated this policy. Your ability to travel on American will be restored once face coverings are no longer required and our policy has been rescinded.

Customers with disabilities who are unable to wear a mask should notify American's Special Assistance team at least 72 hours prior to departure to request an exemption from the mask requirement. They can be reached via our toll-free number directly at 1-800-237-7976 or via email

at [sac@aa.com](mailto:sac@aa.com). Exemptions will require documentation from a licensed health care provider, as well as proof of a negative COVID-19 test taken within three calendar days of departure or proof of recovery from COVID-19.

It is clear we did not meet your expectations. I am concerned about your report of discourteous service on the part of our personnel. Our customers should always experience polite service from our employees, regardless of the circumstances.

American Airlines, like all airlines, must not refuse to provide transportation to a passenger with a disability on the basis of his or her disability, except as specifically permitted by this part. You may refuse to provide transportation to any passenger on the basis of safety or to any passenger whose carriage would violate FAA or TSA requirements or applicable requirements of a foreign government.

An internal investigation was conducted in Ontario, California. It was reported the passenger purchased ticket number 0012306866278 on the morning of October 21st for travel the same day under record locator TUJXQS. At the ticket counter the agent asked Mr. Faris to wear his mask but he refused. His refusal was based on his belief he is exempt from wearing a mask due to his medical exemption from his physician. He claimed he was on another carrier earlier in the morning but fainted after placing the mask over his face. Mr. Faris was advised he would be required to wear a mask both in the airport and the aircraft unless he received an exemption. Without an exemption, he would not be allowed to fly. He was again told approval for a mask exemption is to be requested 72 hours prior to departure and issued by the Special Assistance Coordinators desk. Mr. Faris felt this was a violation of his ACAA, ADA rights and upset he was banned from flying. He was informed he was not banned from flying but would need to comply with the mask requirement. Mr. Faris was informed he would not be allowed to fly as he would not be able to get the exemption for a flight on the same date of purchase. Based on this feedback and information you provided, there was no violation that occurred from a regulatory perspective. Still, I am very sorry for the situation you described.

Please be assured your feedback is very important to us since it provides us with a measuring tool for customer satisfaction. We appreciate the time you have taken to write. Your comments have been documented and made available to the appropriate station manager for internal investigation and handling. The intent here, of course, is to address these issues so we may serve our customers better in the future.

I appreciate you giving me the opportunity to respond to you about your recent experience. While you are always free to contact the Department of Transportation Aviation Consumer Protection Division about the difficulties that occurred, I hope I was able to resolve the issue for you. Should you ever need assistance following a trip you've taken with us, call our Past Travel Disability Assistance Line at 800-892-3624. We're here to help.

In light of the details you provided, we have made an exception in regards to your non-refundable ticket. An adjustment will be processed and a credit issued to the original form of payment. For your convenience, you can check the status of your refund online at [prefunds.aa.com](https://prefunds.aa.com) using ticket number 0012306866278. Please allow seven business days for the information to be updated.

Mr. Faris, as a Platinum AAdvantage® member your comments and loyalty are valued at American Airlines. We want you to know nothing is more important to us than the health and safety of our customers and employees. It's important you know we are taking all of our customers' concerns and feedback seriously. We appreciate the interest you have taken in American and hope to have your understanding on our commitment to safety.

Sincerely,

Lynn Beach  
Customer Relations  
American Airlines

AA Ref#1-30633221825

**Your opinion matters to us! We invite you to share your overall experience in this quick one minute survey. Click [here](#) for the survey. We appreciate your time and valuable feedback.**

The information in this email is confidential and is intended solely for the addressee(s); access to anyone else is unauthorized. If this message has been sent to you in error, do not review, disseminate, distribute or copy it. If you are not the intended recipient, please delete this email from your email system.

If your comments are related to American Airlines service to, from, or in the United Kingdom and we have reached an impasse in terms of resolving your complaint, please know that we are obligated by the Civil Aviation Authority (CAA) to inform you that you may contact a CAA-approved Alternative Dispute Resolution (ADR) provider competent to deal with airline service complaints. American Airlines, however, does not participate with an ADR in resolving disputes.

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RESPID:1-E2Y7I6U:

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PROCESS:Response:

CONTACTID:1-D2LLA6Y:

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**From:** AA Refuse <Z1058197.Aa.refuse@aa.com>  
**Date:** October 28, 2021 at 5:03:55 PM EDT  
**To:** michaelfaris@me.com  
**Subject:** American Airlines Travel Restriction



**\*\*\*Please do NOT reply to this notification. This email is for notification purposes only\*\*\***  
**\*\*\*This is not a monitored email address\*\*\***

October 28, 2021

Dear Mr. Michael Faris,

2015 McKinley Avenue  
Suite F4  
Laverne, CA 91750  
[michaelfaris@me.com](mailto:michaelfaris@me.com)

American Airlines Corporate Security has completed its internal investigation into a recent report of non-compliance of the federal law on face coverings you were involved in on American Airlines flight # 1820, ONT - SDF on October 21, 2021. Our internal review of this incident supports the conclusion that due to your actions, you have violated the passenger responsibilities outlined in our conditions of carriage which you agreed to at the purchase of your ticket(s). Your misconduct constitutes a material breach of contract.

Our website [aa.com](http://aa.com) lists the very latest requirements surrounding face coverings as mandated by Federal regulations and recommendations by the Centers for Disease Control (CDC). You may review our policy requirements found with this link [on.aa.com](http://on.aa.com). Together with public service announcements made in airport terminals, and flight safety briefings by our pilots and flight crew onboard the aircraft, non-compliance with crew member instructions is a violation of federal policy. American Airlines takes the violation of these policies extremely seriously.

Because of your actions, future travel on all American Airlines flights, including all code-share flights, will be denied and future reservations will not be honored. Your ability to travel on American will be restored once face coverings are no longer required and our policy has been rescinded.





Corporate Security



NOTICE: This email and any attachments are for the exclusive and confidential use of the intended recipient(s). If you are not an intended recipient, please do not read, distribute, or take action in reliance upon this message. If you have received this in error, please notify me immediately by return email and promptly delete this message and its attachments from your computer.



Michael Faris

Add keywords



Home

Back

Archive

Move

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Spam

...

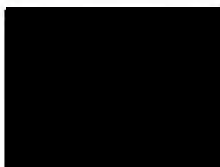
Fwd: Your Response From American Airlines

Yahoo/Inbox



Michael Faris &lt;michaelfaris@me.com&gt;

Thu, Oct 28 at 4:57 PM

**From:** AmericanAirlinesCustomerRelations@aa.com**Date:** October 28, 2021 at 4:45:04 PM EDT**To:** michaelfaris@me.com**Subject:** Your Response From American Airlines

American Airlines



October 28, 2021

Hello Mr. Faris:

Through the courtesy of our airport personnel, Customer Relations has been made aware of the difficulties you encountered when you were scheduled to travel with American Airlines on October 21, 2021. A copy of the report is posted below for your convenience.

.....

Please do NOT reply to this notification. This email is for notification purposes only.

AA-AMERICAN AIRLINES

Complaint Resolution Official Statement

Report of complaint alleging violation of 14 CFR Part 382

Report Date:

10/21/2021

Flight Number:

Departure Station:

Planned Destination:

Passenger Name:

[REDACTED]

Michael Faris

Passenger Email:

Not Available

Passenger Address:

2015 Mckinley ave ste F4 Laverne, CA 91750

Passenger Phone:

2707234944

PNR:

TUJXQS

Statement of Facts:

Passenger arrived to AA ATO for check-in and was asked to wear a mask. The passenger stated he could not wear a mask because he would faint. He was told he would need to request an exemption. He stated he has been denied the exemption four different times. He also stated we were violating his rights by asking for his medical exemption and preventing him from traveling. Passenger was asked to contact SAC desk and told him mask exemption would need to be approved from that office.

Applicable Sections of Part 382:

382.151

Complaints and Enforcements Procedures

Did a violation occur?

No

Resolution:

Passenger was not allowed to travel. Informed he would need to contact special assistance desk.

Corrective Action Taken:

Passenger was not allowed to travel. Informed he would need to contact special assistance desk.

Was the matter resolved to the customer's satisfaction?

No

[REDACTED]

Note to Passenger: You have the right to pursue this matter with the Department of Transportation.

Sincerely,

Cyndia Parchman

Customer Relations

American Airlines

AA Ref#1-30654788480

Your opinion matters to us! We invite you to share your overall experience in this quick one minute survey. Click [here](#) for the survey. We appreciate your time and valuable feedback.

**CHAPTER 5****( SB 2 )**

AN ACT relating to COVID-19 emergency actions and declaring an emergency.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. (1) Notwithstanding any state law to the contrary, by October 1, 2021, and until January 31, 2022, the Cabinet for Health and Family Services shall require that visitation in a long-term care facility as defined in KRS 216A.010 or a residential long-term care facility as defined in KRS 216.510 be allowed by an essential compassionate care visitor, including a family member, legal guardian, outside caregiver, friend, or volunteer, who:

- (a) Provided regular care and support to the resident prior to the COVID-19 pandemic; and
- (b) Is designated an essential compassionate care visitor who is important to the mental, physical, or social well-being of a resident in:
  - 1. Critical situations such as end of life;
  - 2. Instances of significant mental or social decline of the resident; or
  - 3. Exigent circumstances existing regarding a resident in the facility.
- (2) The cabinet shall promulgate administrative regulations in accordance with KRS Chapter 13A that:
  - (a) Set forth procedures for the designation of a family member, legal guardian, outside caregiver, friend, or volunteer as an essential compassionate care visitor;
  - (b) Require all essential compassionate care visitors to follow safety protocols required for staff, including testing for communicable disease, checking body temperature, health screenings, the use of appropriate personal protective equipment, social distancing, and any other requirement the facility deems appropriate in accordance with guidance from the Centers for Disease Control and Prevention. If testing of communicable disease is not provided by the facility, the essential compassionate care visitor shall be responsible for obtaining testing per protocol mandated by the facility;
  - (c) Restrict visitation of essential compassionate care visitors to one room in the facility to provide compassionate care to the resident;
  - (d) Provide that essential compassionate care visitors shall be exempt from any prohibitions on visitation at a facility subject to the provisions of this subsection;
  - (e) Provide that the facility may require a written agreement with the essential compassionate care visitor;
  - (f) Require that essential compassionate care visitors assume the risk for exposure to COVID-19 and other viruses, provided the facility is compliant with the Kentucky Department for Public Health guidelines; and
  - (g) Provide that facilities are not required to accept visitors, except as required by this section.

➔Section 2. (1) No later than October 1, 2021, the Cabinet for Health and Family Services shall assist and support established and additional COVID-19 antibody administration centers (CAACs) throughout the Commonwealth and develop protocols for appropriate patient eligibility criteria for receiving treatments and proper protocol for the administration of treatments.

- (2) CAACs shall:
  - (a) Have at least one qualified treatment provider in each of the 15 Area Development Districts as permissible under federal law and guidance;
  - (b) Be equipped with therapeutic drugs to treat COVID-19 that have full use or emergency use authorization approval from the United States Food and Drug Administration (FDA), including but not limited to REGEN-COV (casirivimab and imdevimab, administered together) monoclonal antibodies or other FDA-approved equivalents, in order to treat COVID-19 positive patients 12 years of age and older;

- (c) Allow volunteer health practitioners providing health services under KRS 39A.350 to 39A.366 to administer the therapeutic drugs; and
  - (d) Not require prior authorization for administration of the therapeutic drugs.
- (3) CAACs shall operate until January 31, 2022, unless otherwise reauthorized by the General Assembly.

➔Section 3. No later than October 1, 2021, the Cabinet for Health and Family Services shall assist and support hospitals, licensed health care providers, jails, prisons, homeless shelters, local health departments, and other entities in:

- (1) Acquiring sufficient COVID-19 tests;
- (2) Developing a plan for statewide distribution of the COVID-19 tests; and
- (3) Distributing for use all COVID-19 tests.

➔Section 4. No later than October 1, 2021, the Cabinet for Health and Family Services shall promulgate emergency administrative regulations in accordance with KRS Chapter 13A to implement Sections 2 and 3 of this Act.

➔Section 5. (1) Notwithstanding KRS 311A.170, until January 31, 2022, a paramedic may be employed by a hospital or nursing facility to work as a licensed paramedic in any department of a hospital or nursing facility subject to the following conditions:

- (a) The hospital or nursing facility in collaboration with the medical staff provides operating procedures and policies under which the paramedic operates that are consistent with the paramedic's scope of practice;
  - (b) A paramedic is permitted to render services only under the supervision of a medical director;
  - (c) A paramedic provides patient care services under the orders of a physician, physician assistant, or advanced practice registered nurse, or as delegated by a registered nurse; and
  - (d) The paramedic does not violate KRS 311A.175 or any other statute or administrative regulation relating to paramedics.
- (2) Subject to the provisions relating to the scope of practice of a paramedic, a hospital or nursing facility may require a paramedic to take additional training on any subject or skill which the paramedic may be required to perform in a hospital or nursing facility and demonstrate competency in the skill or subject to a competent evaluator.

➔Section 6. (1) The Cabinet for Health and Family Services shall by October 1, 2021, and until January 31, 2022, in partnership with any universities, colleges, and health care organizations in Kentucky:

- (a) Produce public service announcements providing information about the severe symptoms and effects of contracting COVID-19; and
  - (b) Develop and initiate a public awareness campaign encouraging Kentuckians to talk with their doctor about the benefits of receiving a COVID-19 vaccination.
- (2) Partnerships may include individual athletes, coaches, physicians, and nurses affiliated with or employed by universities, colleges, and health care organizations in Kentucky.

➔Section 7. (1) In order to improve access to the COVID-19 vaccination and address disparities in immunization by expanding distribution of the vaccine to primary care providers, as recommended by the Centers for Disease Control and Prevention, the Cabinet for Health and Family Services, by October 1, 2021, shall:

- (a) Develop and implement a plan to significantly increase the distribution of COVID-19 vaccines to providers of primary care as defined in KRS 164.925 and to provide technical assistance and support to primary care providers regarding the completion of necessary forms, vaccine administration, confidence, and access;
- (b) Create a singular form in accordance with federal law, to be used by providers of primary care who wish to be authorized, approved, or otherwise permitted to offer and administer COVID-19 vaccines to patients;
- (c) Make the form created pursuant to paragraph (b) of this subsection available on its Web site; and
- (d) Promulgate administrative regulations in accordance with KRS Chapter 13A for the storage of vaccines.

- (2) In developing and implementing a plan to significantly increase the distribution of COVID-19 vaccines to providers of primary care, the Cabinet for Health and Family Services may incorporate the federal Centers for Disease Control and Prevention's guidance on expanding COVID-19 vaccine distribution to primary care providers to address disparities in immunization published on April 14, 2021, and may seek technical assistance from the federal Centers for Disease Control and Prevention.

➔Section 8. KRS 205.636 is amended to read as follows:

- (1) As used in this section:

(a) "COVID-19 pandemic" means the ***national emergency declaration concerning COVID-19 as declared by the President of the United States and the United States Department of Health and Human Services***~~[state of emergency declared by the Governor in response to COVID-19 on March 6, 2020, by Executive Order 2020-215];~~ and

(b) "Temporary COVID-19 personal care attendant" or "PCA" means a person who is employed and received training in a skilled nursing facility under a temporary accommodation made to address work load increases and staffing shortages caused by the COVID-19 pandemic by the ~~[Cabinet for Health and Family Services as authorized by KRS 214.020, Executive Order 2020-215, and the]~~ suspension of federal regulatory and statutory provisions by the Centers for Medicare and Medicaid Services.

- (2) The Department for Medicaid Services shall accept the training requirements as included in the "Temporary COVID-19 Personal Care Attendant memorandum" issued April 14, 2020, by the Cabinet for Health and Family Services that are completed by a PCA who is in good standing with his or her employer~~[after the COVID-19 state of emergency is rescinded by the Governor]~~. The PCA shall be deemed a state registered nurse aide and shall be placed on the Kentucky Nurse Aide Registry if:

(a) A minimum of eighty (80) hours of PCA duties have been completed within a skilled nursing facility under the supervision of a licensed or registered nurse; and

(b) Competency has been established by the following:

1. Through an assessment in all areas of required nurse aide training as provided for in 42 C.F.R. sec. 483.152(b) by an instructor who is a licensed nurse confirmed by the facility to have completed instructor training required by the Department for Medicaid Services; and
2. Successful completion of the nurse aide examination.

- (3) The Department for Medicaid Services shall:

(a) Apply for any Medicaid waivers or state plan amendments necessary to implement subsection (2) of this section;

(b) Incorporate the provisions under subsection (2) of this section into the nurse aide training and competency evaluation program requirements; and

(c) Promulgate any administration regulation necessary to implement this subsection and subsection (2) of this section.

➔Section 9. KRS 214.036 is amended to read as follows:

- (1) Nothing contained in KRS 158.035, 214.010, 214.020, 214.032 to 214.036, and 214.990 shall be construed to require:

(a) The testing for tuberculosis or the immunization of any child at a time when, in the written opinion of his or her attending health care provider, such testing or immunization would be injurious to the child's health;

(b) The immunization of any child whose parents or guardian are opposed to medical immunization against disease, and who object by a written sworn statement to the immunization of such child based on religious grounds; or

(c) The immunization of any emancipated minor or adult who is opposed to medical immunization against disease, and who objects by a written sworn statement to the immunization based on religious grounds.

- (2) In the event of an epidemic in a given area, the Cabinet for Health and Family Services may require the immunization of all persons within the area of epidemic, against the disease responsible for such epidemic,

except that any administrative regulation promulgated pursuant to KRS Chapter 13A, administrative order issued by the cabinet *or a local public health department*, or executive order issued pursuant to KRS Chapter 39A requiring such immunization shall not include:

- (a) The immunization of any child or adult for whom, in the written opinion of his or her attending health care provider, such testing or immunization would be injurious to his or her health;
  - (b) The immunization of any child whose parents or guardians are opposed to medical immunization against disease and who object by a written sworn statement to the immunization based on religious grounds or conscientiously held beliefs; or
  - (c) The immunization of any emancipated minor or adult who is opposed to medical immunization against disease, and who objects by a written sworn statement to the immunization based on religious grounds or conscientiously held beliefs.
- (3) The cabinet shall:
- (a) Develop and make available on its Web site a standardized form relating to exemptions in this section from the immunization requirements; and
  - (b) Accept a completed standardized form when submitted.

➔SECTION 10. A NEW SECTION OF KRS CHAPTER 13A IS CREATED TO READ AS FOLLOWS:

- (1) *The General Assembly finds that 902 KAR 2:211E, **Covering the Face in Response to Declared National or State Public Health Emergency**, was found deficient and then later withdrawn by the agency on June 11, 2021, as evidenced by the records of the Legislative Research Commission.*
- (2) *Contrary provisions of any section of the Kentucky Revised Statutes notwithstanding, **the administrative regulation referenced in subsection (1) of this section shall be null, void, and unenforceable as of the effective date of this Act.***
- (3) *Contrary provisions of any section of the Kentucky Revised Statutes notwithstanding, **the administrative body shall be prohibited from promulgating an administrative regulation that is identical to, or substantially the same as, the administrative regulation referenced in subsection (1) of this section for a period beginning on the effective date of this Act and concluding on June 1, 2023.***
- (4) *The administrative regulation referenced in subsection (1) of this section shall be available to the public, in the office of the Legislative Research Commission's regulations compiler.*

➔SECTION 11. A NEW SECTION OF KRS CHAPTER 13A IS CREATED TO READ AS FOLLOWS:

- (1) *The General Assembly finds that 902 KAR 2:212E, **Covering the Face in Response to Declared National or State Public Health Emergency**, was found deficient but remained effective notwithstanding the finding of deficiency pursuant to KRS 13A.330, on or after March 30, 2021, and before the effective date of this Act, as evidenced by the records of the Legislative Research Commission.*
- (2) *Contrary provisions of any section of the Kentucky Revised Statutes notwithstanding, **the administrative regulation referenced in subsection (1) of this section shall be null, void, and unenforceable as of the effective date of this Act.***
- (3) *Contrary provisions of any section of the Kentucky Revised Statutes notwithstanding, **the administrative body shall be prohibited from promulgating an administrative regulation that is identical to, or substantially the same as, the administrative regulation referenced in subsection (1) of this section for a period beginning on the effective date of this Act and concluding on June 1, 2023.***
- (4) *The administrative regulation referenced in subsection (1) of this section shall be available to the public, in the office of the Legislative Research Commission's regulations compiler.*

➔Section 12. Whereas, the General Assembly desires to ensure that the citizens of the Commonwealth are protected for a specific period of time and that all possible prevention, treatment, and health care provider options are available, an emergency is declared to exist, and this Act takes effect upon its passage and approval by the Governor or upon its otherwise becoming law.

Veto overridden September 9, 2021.



## **CHAPTER 131: PROHIBITING THE WEARING OF HOODS AND MASK IN PUBLIC PLACES**

Section

City of Elizabethtown, Kentucky

- 130.01 Purpose and Findings
- 130.02 Definitions
- 130.03 Wearing Hoods or Masks in a Public Place
- 130.04 Exemptions
- 130.05 Penalties

### **§ 131.01 PURPOSE AND FINDINGS.**

The government of the City of Elizabethtown exists to serve equally all of its citizens and to protect all of its citizens from crimes and inciteful disturbances. (Ordinance No. 10-2001, passed April 16, 2001)

### **§ 131.02 DEFINITIONS**

**PUBLIC PLACES** All walks, alleys, streets, boulevards, avenues, lanes, roads, highways or other ways or thoroughfares dedicated to public use or owned or maintained by public authority; all grounds and buildings owned, leased or operated for the use of organizations enjoying all tax-exempt privileges as a charitable use. (Ordinance No. 10-2001, passed April 16, 2001)

### **§ 131.03 WEARING HOODS OR MASKS IN A PUBLIC PLACE**

No group of three or more persons shall, while wearing any hood, mask or device whereby a substantial portion of the face is hidden or covered so as to conceal the identity of the wearer, enter, be or appear in any public place within the City of Elizabethtown. (Ordinance No. 10-2001, passed April 16, 2001)

### **§ 131.04 EXEMPTIONS**

The following are exempted from the provision of Section 2 of this Ordinance:

- (a.) Any person under sixteen years of age;
- (b.) Any person using masks in theatrical productions including use in Mardi Gras celebrations and masquerade balls;
- (c.) Any person lawfully engaged in trades or employment or in a sporting activity where a mask or facial covering is worn for the purpose of ensuring the physical safety and physical protection of the wearer, or because of the nature of the occupation, trade or professional or sporting activity; and
- (d.) Any person wearing a gas mask in drills, exercises or emergencies. (Ordinance No. 10-2001, passed April 16, 2001)

### **§ 131.05 PENALTIES**

Any person who violates Section 131.03 of the Ordinance shall be guilty of a misdemeanor, and shall be fined no more than One Hundred Dollars (\$100.00) and/or imprisoned for no longer than fifty (50) days. (Ordinance No. 10-2001, passed April 16, 2001)

[Home](#) > [Resources](#) > [For Individuals](#) > [Aviation Consumer Protection](#) > [File a consumer complaint](#)

## Air Travel Service Complaint or Comment Form (Not Related to Airline Safety or Security Issues)

Please use this form to file a complaint or comment about service you received or requested from an airline or ticket agent that does not relate to airline [safety](#) or [security](#). This may include, but is not limited to, topics such as flight delays and cancellations, overbooking, disability, tarmac delays, baggage, discrimination, refunds, ticketing practices, family seating, frequent flyer programs, charter flights, privacy and air ambulance service.

The information that you provide in your complaint or comment form will be provided to the appropriate airline or ticket agent. More detailed information about DOT's complaint handling process, and other helpful information for air travelers is available [here](#).

Items marked with a \* are required.

### Personal Information:

I am  \*

Your Name:  Title:  First Name:  \*

Last Name:  \*

### Contact Information:

Address:

City:  State:  \*

Zip Code:  Home Phone:

Either Email Address or Daytime Phone is required

#### Email Address:

\*

#### Daytime Phone:

\*

#### Verify Email

##### Address:

\*

Would you like a copy of this submission sent to your email?

☒ Yes ☐ No

### Complaint/Comment Information:

#### Airline/Company:

SPRIT AIRLINES  \* (If not listed or not applicable select "OTHER")

#### Flight Date (if applicable):

10/21/2021  (Date Format: mm/dd/yyyy)

#### Flight Itinerary (if applicable):

LAX-SDF Flight 503 (Cities / Flight Number)

#### Description of Problem/Inquiry /Comment\*

I booked a last-minute ticket to fly home from Los Angeles to Louisville on Spirit. I have a doctor's note that exempts me from wearing a face mask, but Spirit refused to grant me a medical exemption because it requires advance notice (48 hours) that a customer with a disability in traveling on a flight in

(Chars left: 3000)

#### Attach a file (Optional):

**File Name:** (Please click the "Browse" button to select the file and click "Upload File" button.)

No file selected.

#### Uploaded file/s

C:\fakepath\Spirit BP & Agent.pdf [Remove file](#)

### Incidents of Sexual Misconduct:

If your complaint relates to or includes allegations of sexual misconduct, a copy of your complaint will be sent to the FBI. Sexual misconduct is a broad term. It encompasses any behavior or attempted behavior of a sexual nature that is committed without consent or with someone incapable of consent, or by force, intimidation, coercion, or manipulation. Sexual misconduct also includes physical or verbal advances or harassment of a sexual nature, or public indecent exposure.

**Note - Please only hit Submit once as our system sometimes takes a few moments to process your complaint.**

*A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2105-0568. Public reporting for this collection of information is estimated to be approximately 15 minutes per response, including the time for reviewing instructions, gathering the data needed, and completing and reviewing the collection of information. All responses to this collection of information are voluntary, and will be provided confidentiality to the extent allowed by the Freedom of Information Act (FOIA). Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Aviation Consumer Protection Division, Office of the Secretary, W96-473, 1200*

Plaintiff's Exhibits 24-50

**THESE EXHIBIT NUMBERS INTENTIONALLY NOT USED**