



Washington Update

Check out the [PVAction Force](#) page to view alerts and a list of key legislation.

DOT LEVIES \$50 MILLION FINE AGAINST AMERICAN AIRLINES FOR ACAA VIOLATIONS

On October 23, the [U.S. Department of Transportation \(DOT\)](#) levied a \$50 million fine against American Airlines for systemic violations of the Air Carrier Access Act (ACAA). The ACAA prohibits discrimination against people with disabilities in commercial air travel. The fine was one of the largest ever levied against an airline for ACAA violations. PVA filed three formal DOT complaints alleging violations of the ACAA starting in 2022. DOT cited PVA's complaints as one of the primary reasons for the enforcement action against American.

As a result of the settlement agreement, American will be forced to pay a penalty of \$25 million to the U.S. Treasury. Separately, American must also invest in efforts to improve the safety and dignity of wheelchair users in air travel. Specifically, the airline must: (1) invest in equipment to reduce incidents of wheelchair damage, including wheelchair lifts at 24 or more airports and wheelchair movers at 43 or more airports; (2) invest in a systemwide wheelchair tagging system to reduce incidents of wheelchair delay; and (3) deploy hub control center employees in 2024, 2025, and 2026, to coordinate wheelchair handling on a centralized, systemwide basis at large airports.

In its news release announcing the settlement, DOT stated that it was also reviewing disability-related

complaints alleged against other airlines. DOT's actions are a significant victory for passengers with disabilities. We hope that these enforcement efforts will lead to safer and more dignified air travel for passengers with disabilities in the near future.

PVA PARTICIPATES IN NOVA CONFERENCE PANEL ON VA HEALTH CARE AND BENEFITS

Recently, National Legislative Director Morgan Brown joined representatives from fellow veterans organizations and key congressional staffers in a panel discussion on legislative priorities and critical issues affecting VA health care and benefits for veterans, their families, and caregivers. The event, which was part of the Nurses Organization of Veterans Affairs' (NOVA) 44th annual conference, focused on many of the same concerns PVA has raised in recent years about the status of VA's health care system. These include funding shortfalls, staffing shortages, VA's aging infrastructure, dwindling training opportunities, and the need for competitive salaries for the department's nursing corps. Attendees and panel members alike agreed that insufficient funding for the system must be a principal advocacy focus moving forward, because funding deficiencies adversely affect the department's ability to provide effective care.



2025 COLA ANNOUNCED FOR VETERANS AND SOCIAL SECURITY BENEFITS

The Social Security Administration announced on October 10 that Social Security beneficiaries will receive a 2.5 percent cost-of-living adjustment (COLA) increase starting in 2025. The increase is reflective of the effects of inflation. Prior to departing for the current congressional recess, House and Senate lawmakers approved legislation to ensure certain VA compensation programs will receive the same COLA.

NEW REPORT ON MILITARY AND VETERAN CAREGIVERS RELEASED

More than 14 million Americans now provide daily care to wounded, ill, or injured military servicemembers or veterans, with the heaviest burden falling on the 26 percent who assist people aged 60 and under, according to a new report commissioned by the Elizabeth Dole Foundation. That's one of many findings in the RAND Corporation's report titled, "[America's Military and Veteran Caregivers: Hidden Heroes Emerging from the Shadows](#)." It builds upon the impactful findings of their original 2014 caregiver study and spotlights some of the most pressing needs of the military and veteran caregiver communities. Not surprisingly, that includes financial concerns.

Military and veteran caregivers reported spending nearly \$8,600 of their own money each year towards the care of their veteran while forgoing another \$4,500 in annual income. Roughly one-third of them reported incomes below 130 percent of the federal poverty level while upwards of 70 percent of caregivers said they faced difficulty paying bills. Between 22 to 40 percent reported food insecurity. Each of these problems are clear indicators that additional resources are needed.

The study also found that more than 40 percent of caregivers for those 60 and under met criteria for probable depression. About one-third of them thought they needed mental health care but don't receive it, primarily because they don't have the time. In addition to increased financial support and access to mental health and substance use treatment for caregivers and

their children, the report also made the following recommendations:

- Tailor caregiver support programs to reflect caregivers' diverse preferences and needs.
- Expand and promote home health care considering how caregivers will be affected.
- Focus programmatic and social support within the context of local conditions in which military and veteran caregivers live.
- Encourage health care systems to better integrate caregivers into health care teams.
- Promote work environments that are supportive of caregivers.
- Continue to conduct rigorous evaluations of those initiatives designed to support military and veteran caregivers.
- Continue to conduct research that fully captures the breadth of caregiving and those who serve as caregivers.

The full report is available [here](#).

PVA HOLDS FIFTH ANNUAL WVER

Early in October, PVA hosted the fifth Women Veteran Empowerment Retreat (WVER). This year's theme focused on grassroots efforts, building local community, and resiliency in advocacy. Thirty-five women representing 24 chapters attended the event. Participants learned about leveraging digital resources to spread messages and awareness, the history of PVA, and several other areas all highlighting skills and resources to help our women members find their voices as veterans.

Lisa Elijah, Grassroots Advocacy Manager, and Julie Howell, Associate Legislative Director, combined forces to teach a session on advocacy and strategic thinking around local concerns. The presentation touched on many of the themes presented in the Government Relations webinar series held last summer around the fundamentals of government. The women thought of several concerns that they could each relate to despite being located in different areas of the country and presented their ideas and solutions to address them. The session was well-received by attendees.

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PVA APPOINTED TO CO-CHAIR ACAA ADVISORY COMMITTEE

On September 20, Chief Policy Officer Heather Ansley was appointed to co-chair the U.S. Department of Transportation's Air Carrier Access Act (ACAA) Advisory Committee. The committee was established for a five-year period pursuant to the FAA Reauthorization Act of 2018 and was extended until September 30, 2028, by the FAA Reauthorization Act of 2024. It is tasked with assessing the existing and emerging disability-related access barriers for passengers with disabilities; evaluating the extent to which DOT's programs and activities are eliminating disability-related access barriers; and recommending actions to improve the air travel experience of passengers with disabilities. The committee will report its assessment and recommendations to the DOT Secretary. More information is available [here](#).

PVA PARTICIPATES IN BRIEFING ON CAPITOL HILL ON THE STATUS OF ADA DROP OFF/PICK UP ZONES

In 2021, Chief Policy Officer Heather Ansley provided testimony before the House Select Committee on the Modernization of Congress in a hearing titled, "Making the House More Accessible to the Disability Community." PVA's testimony provided many examples of accessibility barriers on Capitol Hill for people with disabilities. One such barrier is a lack of accessible drop off/pick up zones.

Since the hearing, the committee has been working to adopt a variety of recommendations to improve accessibility. As a result, on September 26, the committee held a briefing at the location of Capitol Hill's first accessible drop off/pick up zone on the House side. PVA's role in the creation of the zone was reiterated during the curb-side briefing that included Committee on House Administration Chairman Bryan Steil (R-WI), Subcommittee on Modernization Chairwoman Stephanie Bice (R-OK), Subcommittee on Modernization Ranking Member Derek Kilmer (D-WA), and leaders from the office of the Architect of the Capitol. CEO Carl Blake and Chief Policy Officer Ansley participated in the event.

The committee plans to hold a formal event once the zone is ready for use.

PVA HONORED WITH TSA COALITION PARTNER AWARD

On September 24, PVA was honored with a 2024 TSA Coalition Partner award. PVA was selected for its significant collaboration and input to TSA during the past year. TSA noted that PVA is not only a TSA Coalition partner organization, but is also a valued partner on the Aviation Security Advisory Council Persons with Disabilities Working Group. TSA Administrator David Pekoske presented the award to Chief Policy Officer Heather Ansley during the 22nd Annual TSA Disability and Multicultural Coalition Conference in Arlington, Virginia.

NEWS OF NOTE

Progress Report Released on Federal Implementation of Strategy to Support Family Caregivers

The U.S. Department of Health and Human Services through its Administration for Community Living delivered a 2024 progress report to Congress on federal actions that have taken place since its 2022 National Strategy to Support Family Caregivers. The 2022 strategy presented commitments from 15 federal agencies to approximately 350 actions to implement recommendations made to ensure family caregivers receive the support and resources they need.

The report states that nearly all of the 350 federal actions have been completed or are in progress. Additionally, agencies have added 40 new actions. It is reported that the VA has completed 15 of its 21 actions. The remaining six are in process. The report details some of the specific actions the VA is taking, including conducting training programs directed to the caregiver community and expanding telehealth mental health services to caregivers of veterans.

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NDRN Documentary on Challenges of Voters with Disabilities Now Available

The National Disability Rights Network's (NDRN) documentary, "[Accessing Democracy](#)" is now available to the public. This interview style, short documentary follows NDRN as staff travel the East Coast to listen to the experiences of voters with disabilities. Interviewees discuss how the barriers they face prevent them from accessing everyday conveniences, receiving services, and participating in their communities. They highlight that there is no inclusion without access and the backlash the disability community experiences when requesting accommodations that ensure access. Voters also provide insight to the barriers they have and continue to face when expressing their right to participate in elections. The documentary ends with voters sharing what they think the next administration should focus on as it relates to people with disabilities. NDRN has also released a version with [ASL and Audio Description](#). A [recording of a panel discussion](#) from the film's premiere, which features the voters highlighted in the film, is also available.

Judge Rules Lyft Does Not Need to Provide WAV Services Under the ADA

On September 30, the U.S. District Court, Southern District of New York, ruled that Lyft is not required to provide wheelchair accessible vehicles (WAVs) for mobility device users to comply with the Americans with Disabilities Act (ADA). In 2017, the plaintiffs sued Lyft under Title III of the ADA arguing Lyft discriminates against people with disabilities by failing to provide WAV services. The plaintiffs sued to require the court to provide WAVs and Access mode, which allows riders to request WAVs, in its operating areas. In March 2023, the court granted class certification for three classes: nationwide, the Westchester County, and New York state, with the exception for where Lyft already offers WAVs. Despite granting class certification, after trial, the judge ruled that the ADA does not require rideshare services to provide WAVs. PVA was highly involved in this case by filing and joining two amicus briefs and will seek to support any appeals.

Federal Judge Strikes Down Key Provisions in Texas Voting Law

On September 28, a Texas federal judge [ruled](#) against key provisions of [Senate Bill 1](#) that modify the oath of assistance, ban compensated assistance, and restrict in-person canvassing. In the order, the court agrees with the plaintiff's allegations that the provisions undermine the protections of Section 208 of the Voting Rights Act (VRA) by narrowing the class of eligible assistors, requiring voters to take additional steps as a prerequisite to receiving assistance, and deterring voters from requesting assistance in the voting process. Section 208 prohibits states from limiting voter's rights to assistance and preempts conflicting state laws. In the order, the court also emphasizes that nothing in the text of Section 208 of the VRA allows states to impose additional limitations or exceptions to voter assistance not stated in the statute.

DOJ Files Complaint Against Wisconsin and Certain Towns to Ensure Accessible Voting

On September 20, the Department of Justice (DOJ) [announced](#) that it filed suit against the Wisconsin towns of Thornapple and Lawrence and the state of Wisconsin for violations of the Help America Vote Act (HAVA). The complaint alleges that the two towns violated Section 301 of HAVA by deliberately failing to provide accessible voting machines to voters in specific 2024 federal elections. Under Section 301 of HAVA, polling places used for federal elections are required to provide at least one voting system that is accessible for individuals with disabilities in a manner that provides the same opportunity for access and participation as for other voters. In 2023, both towns voted to stop using the accessible voting machines they utilized up until that point. The complaint also alleges that the state failed to ensure accessibility to voters with disabilities at every polling place within the state. The DOJ has come to an agreement with Lawrence that is pending court approval. Litigation against Thornapple and the state will continue.



DOJ Sues LA Fitness for ADA Violations

On October 8, the U.S. Department of Justice (DOJ) sued LA Fitness for violations of Title III of the Americans with Disabilities Act (ADA). Title III of the ADA prohibits places of public accommodation, including fitness facilities, from discriminating against people with disabilities. LA Fitness is the largest chain of owner-operated gyms and fitness clubs in the U.S., with nearly 700 locations. The lawsuit alleges LA Fitness discriminates against people with disabilities by failing to make its facilities accessible. Specifically, the lawsuit alleges that LA Fitness fails to maintain pool and spa lifts and elevators in working condition; fails to remove physical barriers; fails to provide accessible facilities; fails to provide accessible showers and locker rooms; fails to provide physical access to fitness equipment; and charges patrons for caregivers to accompany them. If you or someone you know had trouble accessing an LA Fitness gym because of a disability or were charged an extra fee to have someone help you access the gym's equipment, DOJ requests you call 1-888-392-5417 (toll-free), or email Claims.LAFitness@usdoj.gov.

WEBINARS & COMMITTEE ACTIVITIES

October 29 Webinar – Register Today!

Join us on October 29 at 2:00 PM ET for our webinar titled, "Improving Disability Access in Air Travel: Updates on Policy Developments." Hear from PVA Chief Policy Officer Heather Ansley as she discusses the positive developments in PVA's efforts to improve access to air travel for people with disabilities. The webinar will cover passed legislation and pending regulations, along with other developments focused on pushing to make the future of air travel safer and more dignified for passengers with disabilities. Please register [here](#).

Veterans' Committee Activities

Please visit the [House](#) and [Senate](#) Veterans' Affairs Committee webpages for information on previous and upcoming hearings and markups.

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