

June 9, 2023

New York State Office of the Comptroller
Division of State Government Accountability
59 Maiden Lane, 21st Floor
New York, NY 10038
Attn: Carmen Maldonado, Audit Director

Re: Audit Report 2022-F-24
Port Authority of New York and New Jersey
Selected Aspects of Accommodations for Passengers with Disabilities

Dear Ms. Maldonado:

The Port Authority of New York and New Jersey (Port Authority) has received your Audit Report Response dated May 12, 2023 (the "Report") issued as a follow-up to actions undertaken by the Port Authority to address the recommendations contained in Selected Aspects of Accommodations for Passengers With Disabilities (Audit Report 2019-S-41). We appreciate the time and effort of your team and the opportunity to share this response for inclusion in your final audit report.

As you are aware, the Port Authority regularly examines accessibility issues in its operations and redevelopment plans, in many respects going far beyond the base obligations required by the law. We are proud of the accomplishments we have achieved to date and remain steadfast in our continual goal to improve.

In April 2022, we provided an update of the many accessibility upgrades and program changes implemented based on suggestions made during the initial audit. Over the course of the audit, your office has offered helpful recommendations for ways we can improve service for our customer with disabilities. As you know, the Port Authority has implemented many of the recommendations thus far and remain committed to finalizing those efforts in the future.

We are pleased that five of the seven recommendations made by your office have been accepted as "implemented" with the remaining two identified as "partially implemented". The Port Authority has the following comments/responses regarding the two recommendations that you described as "partially implemented" in your letter:

Recommendation 5

Ensure that there are agreements in place with terminal operators regarding the provision of services to passengers with disabilities and ensure that the provisions of these agreements are implemented.

Please note that we have assumed that your reference to “terminal operator agreements” was intended as a reference to our flight fee agreements directly with the air carriers. Including the boarding and deplaning obligations in these agreements imposes compliance on the carriers who control those processes, as contemplated by law.

As you mention, we currently included the relevant obligations in our contracts at John F. Kennedy International Airport and Newark Liberty International Airport. We expect to include substantially similar covenants to comply with legal requirements regarding services to passengers with disabilities in flight fee agreements with air carriers at LaGuardia Airport, currently under negotiation. These agreements are expected to become effective in early 2024.

Recommendation 6

Require the terminal operators to forward copies to PANYNJ of complaints received regarding services to passengers with disabilities.

The Port Authority is reviewing and finalizing a draft airport General Manager’s Bulletin to improve the process for complaints received regarding services to passengers with disabilities. We anticipate releasing the Bulletin in Q3 2023.

We greatly appreciated the opportunity to work with your office throughout this audit process. Your meaningful suggestions have been implemented and incorporated into our robust commitment to providing accessibility beyond the minimum legal standards of the ADA.

Very truly yours,



Amy Fisher
Acting General Counsel