

ORAL STATEMENT OF
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AIR LINE PILOTS ASSOCIATION, INTERNATIONAL

BEFORE

THE SUBCOMMITTEE ON AVIATION
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
UNITED STATES HOUSE OF REPRESENTATIVES

WASHINGTON, D.C.
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PILOT FLIGHT AND DUTY TIME RULE

Thank you for giving me the opportunity to be here today to present the views of the Air Line Pilots Association, International. It is difficult to overstate the importance of combating pilot fatigue to ALPA's nearly 53,000 members who fly for 38 airlines in the United States and Canada.

Airline pilots owe a debt of gratitude to you, Chairman Costello, and to Chairman Oberstar, and to Ranking Members Mica and Petri, and to every member of this subcommittee. You have championed desperately needed improvements to our country's outdated and ineffective flight- and duty-time limits and minimum rest requirements. Your efforts came to fruition on August 1, when the President signed your bill, H.R. 5900, into law. This law played an essential role in last week's release of a Notice of Proposed Rulemaking.

In addition, ALPA pilots applaud Secretary of Transportation Ray LaHood and FAA Administrator Randy Babbitt. This proposal would not exist without their leadership and commitment.

Our union has long pursued modern, science-based flight- and duty-time and minimum rest regulations that would apply to all airline pilots, regardless of the size of the equipment they fly or whether they carry cargo or passengers.

In 2007, I created a Blue Ribbon Panel on Pilot Fatigue to review the science and recommend an action plan for the union. In 2009, ALPA adopted a landmark pilot fatigue policy. Last year we co-chaired and were represented by seven pilots on the FAA's Flight and Duty Time Limitations and Rest Requirements Aviation Rulemaking Committee.

ALPA is very pleased that the FAA has released a regulatory proposal. Guided by ALPA's policy, our union's Flight Time/Duty Time Committee is carefully reviewing the

NPRM. The committee includes ALPA pilot safety experts from the range of Part 121 flying, including regional, domestic, international, and cargo operations.

While ALPA looks forward to submitting our full comments to the FAA, I would like to offer some initial observations about the proposal. We are very encouraged by many aspects.

- First, the proposal appears to apply scientific principles and recognizes human physiological limitations with increased minimum rest periods and more reasonable duty days, and recognizes the effects of circadian rhythms on fatigue.
- The proposal applies to all FAR Part 121 flying and would eliminate “carve outs” for supplemental operations.
- It incorporates FAR Part 91 “tag on” or ferry flights within flight- and duty-time limitations.
- The proposed rule requires fatigue education and training on a recurring basis at all airlines and provides for implementation of a fatigue risk management program.
- The NPRM mandates that all flight crewmembers report rested and fit for duty and establishes that fitness for duty is a joint responsibility of the flight crewmember and airline.
- The proposal requires airlines to accurately record and set scheduled flight and duty periods based on actual operations and to make adjustments if unreliable scheduling is used.
- It makes the decision to extend the duty period a joint responsibility of the pilot in command and the airline, and further limits the number of times the duty period may be extended for a flight crew.
- The proposal also requires positioning of crewmembers or deadheading to be counted as duty.
- And, finally, the NPRM specifically recognizes reserve duty.

All these factors mark important progress. Our union has, however, found several areas in its preliminary analysis in which the NPRM does not adequately reflect the ARC’s recommendations.

- The NPRM does not ensure that the length and quality of rest after a long-range flight across multiple time zones is sufficient before the next flight and duty period.
- We have concerns that the application of the augmented flight and duty period table will not adequately address the circadian disruption that the flight crewmember may experience during certain types of long-range flying.
- The proposal does not assess the effects of increasing the amount of block time in a duty period up to 10 hours.

After many attempts and many years, and staunch advocacy by ALPA and others, the FAA has developed a proposed rule that has the potential to make significant

improvements in flight and duty regulations and create a safer system for passengers, shippers, and all who depend on air transportation.

The law now requires the FAA to publish new pilot flight- and duty-time rules no later than July 31, 2011. We know that this subcommittee will be watching the agency closely to ensure that it meets that deadline. So will we.

Thank you.