



National Air Carrier Association

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April 12, 2016

Honorable Mitch McConnell
Majority Leader
S-230 Capitol Building
Washington, D.C. 20510

Honorable Harry Reid
Minority Leader
S-221 Capitol Building
Washington D.C. 20510

Honorable John Thune
Chairman
Senate Committee on Commerce,
Science, and Transportation
511 Dirkson Senate Office Building
Washington, D.C. 20510

Honorable Bill Nelson
Ranking Member
Senate Committee on Commerce,
Science, and Transportation
716 Hart Senate Office Building
Washington D.C. 20510

Dear Majority Leader McConnell, Minority Leader Reid, Chairman Thune, and Ranking Members Nelson:

The National Air Carrier Association (NACA)¹ represents the interests of nine US cargo airlines. Our member airlines operate domestically and in every part of the world on behalf of the U.S. military and commercial customers.

It has come to our attention that Senator Barbra Boxer has filed Senate amendment #3489 to the Federal Aviation Reauthorization Act of 2016 (S. 2658). The purpose of this amendment is to modify the final rule for flightcrew member duty and rest and apply that rule to all cargo carriers. We ask that you strongly oppose this amendment.

Pilot duty and rest requirements are fully regulated by Part 121 of the FAA's regulations. Cargo carriers function very differently from passenger carriers which has historically allowed cargo pilots more rest opportunities. Cargo carriers fly fewer legs, have longer layovers, serve a greater variety of destinations, and have better rest opportunities during their trips. Many carriers operate very long international charter flights to remote destinations in support of our

¹ NACA Members: Air Transport International, Atlas Air, Everts Air Cargo, Kalitta Air, Lynden Air Cargo, National Airlines, Northern Air Cargo, Southern Air, USA Jet Airlines, Western Global Airlines.

military. The crew duty rules that may be feasible for scheduled passenger carriers would simply be impossible for many of our members' operations. Over the past twenty years FAA and National Transportation Safety Board data shows there have been virtually no fatigue related incidents caused by crew scheduling.

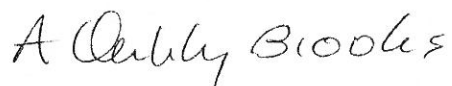
Cargo carriers take any fatigue risks very seriously. All cargo airlines operating under part 121 must have a Fatigue Risk Management Plan (FRMP). This is an air carrier's management plan outlining policies and procedures for reducing the risks of flightcrew members fatigue and improving flightcrew member alertness. The FRMP policies and procedures should focus on the air carrier's specific kind of operations (*e.g.*, domestic, flag, and supplemental) and the type operations (*e.g.*, continuous duty overnights, night vs. day operations, cargo vs. passenger operations, short-haul vs. long-haul, scheduled vs. charter, etc.).

Furthermore, the FAA has already decided this matter through rulemaking. Upon consideration of thousands of comments from the public, pilots, and industry the FAA found the historical data and the cost/benefit analysis shows that there are virtually zero benefits in applying passenger carrier fatigue rules to all cargo carriers. Additionally, on March 24, 2016, the US Court of Appeals denied the Independent Pilots Association's petition to change the rules and found the FAA acted reasonably in its decision to exempt all-cargo pilots from Part 117 passenger pilot rest rules.

In light of these facts we again strongly urge you to vote "no" on the Boxer amendment #3489 should it come to a vote on the Senate floor.

Thank you for your consideration of our views as you work towards completion of the FAA Reauthorization bill. We look forward to working with you and answering any questions.

Sincerely,



A. Oakley Brooks
President