

## LEGISLATIVE AND REGULATORY

# Hot Topics for 2013

By ALPA Staff

**A**s expected in a democracy, the U.S. Congress is besieged with countless special-interest demands during the year. It takes persistence, fortitude, reputation, and a prevailing strategy to even be heard, much less be successful in obtaining desired outcomes. The Air Line Pilots Association, International exists to promote the interests of its members every day and in every aspect of their careers. The following is a condensed list of legislative and regulatory hot topics for 2013. It's not all-inclusive nor is it representative of issues that may arise in the future. For more on legislative and regulatory issues and how you can participate, visit [www.ALPA.org/issues](http://www.ALPA.org/issues).

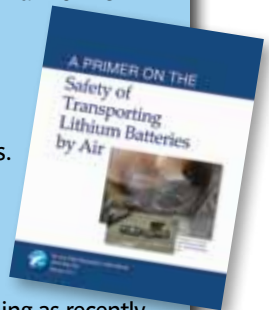


### Unmanned aircraft systems

With the requirement to institute a plan for unmanned aircraft systems (UAS)—increasingly known as remotely piloted aircraft (RPA)—integration into the U.S. national airspace system included in the 2012 FAA reauthorization legislation, Congress continues its oversight of UAS. Already this year, UAS have been the focus of hearings and legislation. The House Science Subcommittee on Oversight held a hearing in February titled “Operating Unmanned Aircraft Systems in the National Airspace: Assessing Research and Development Efforts to Ensure Safety.” FAA Administrator Michael Huerta was grilled on UAS during a House Aviation Subcommittee hearing that same month. In March, Rep. Edward Markey (D-Mass.), chair of the House Privacy Caucus, introduced the Drone Aircraft Privacy and Transparency Act (H.R. 1262) to address privacy issues related to UAS. The House also has an Unmanned Systems Caucus, which counts 49 bipartisan members and has been vocal about the civilian use of UAS. ALPA continues outreach on Capitol Hill to underscore that any operator of UAS that intends to fly in unrestricted civil airspace must meet the same testing, reliability, and operational and safety requirements as airline operations.

### REGULATORY UPDATE Lithium batteries

ALPA anticipates that critical rulemaking will occur in the coming months. A federal proposal to harmonize U.S. standards for the air transport of lithium batteries with recent updates to International Civil Aviation Organization (ICAO) technical instructions has received wide and positive support by stakeholders. ALPA endorses a harmonized approach and hails the proposed rulemaking as a significant first step. The Association uses every opportunity available to advocate for additional safeguards, including as recently as an April 11 – 12 NTSB forum on lithium batteries. ALPA's message is clear: more safety measures are necessary to ensure the safe air transport of lithium batteries as cargo—including banning lithium metal batteries on cargo airplanes until appropriate fire-suppression methods exist and classifying all lithium batteries shipped by air as dangerous goods. In the meantime, ALPA is urging the Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) to publish a final rule that will harmonize U.S. hazardous materials regulations with new ICAO provisions. For more on ALPA's lithium battery priorities, review the Association's *Primer on the Safety of Transporting Lithium Batteries by Air*.




### Aviation security update

ALPA continues to push for additional improvements in aviation security, advocating for ALPA's security agenda with both Congress and the administration.


## The Safe Skies Act of 2013

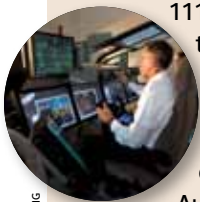
On the first day of the 113th Congress, new legislation was introduced to achieve one level of safety for all airline operations regarding pilot fatigue. The Safe Skies Act of 2013, authored by Rep. Grimm (R-N.Y.) and Rep. Bishop (D-N.Y.), would close the cargo carveout created by the FAA when it issued final regulations on flight- and duty-time rules (FAR 117) at the end of 2011. For decades, ALPA has advocated for one level of safety regardless of payload, aircraft size, or flight mission. And the same holds true for pilot fatigue rules. It doesn't make sense for the world leader in airline safety to exclude cargo operations from science-based rules.

ALPA is aggressively seeking congressional cosponsors for the Safe Skies Act, and all ALPA members can help by writing their congressional representatives through ALPA's website. To participate in ALPA's Call to Action, scan the QR code. 



## Pilot training and certification


Per the Airline Safety and Federal Aviation Administration Extension Act of 2010 (Public Law 111 – 216), all airline pilots are required to hold an air transport pilot (ATP) certificate by Aug. 2, 2013. The FAA issued a bulletin in April advising that all FAR Part 121 pilots will begin exercising the privileges of an ATP as of August 2. Consequently, all FAR Part 121 pilots will be required to have a first-class medical certificate. Additional implementing guidelines on pilot certification and qualification requirements for air carrier operations are expected before the August date. Over the past two years, ALPA has been extensively engaged in a rulemaking process on pilot training and certification that would create a new "restricted" ATP that can be earned with fewer than 1,500 hours of flight time and would lower the minimum age to 21 years for holders of this certificate. ALPA continues to urge the FAA for a timely release of the final rule. Late last year ALPA joined with Airlines for America and the Regional Airline Association to urge the FAA to publish regulations as soon as possible so that airlines and pilots can take actions necessary to comply with the law that Congress enacted. In hearings before the House and Senate this year, FAA Administrator Huerta reiterated that this rule is a top priority. 

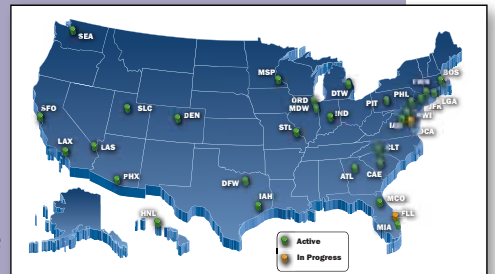


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## Known Crewmember

ALPA has long called for a risk-based approach to aviation security that will allow the Transportation Security Administration (TSA) to focus federal resources on serious threats. As KCM expands to more and more airports, it's widely recognized as an innovative risk-based security program. TSA Administrator John Pistole echoed ALPA's common-sense strategic approach to security at a March hearing before the House Homeland Security Committee on risk-based security. Visit [www.knowncrewmember.org](http://www.knowncrewmember.org) to get the latest updates on this program.

Similarly, ALPA continues to advocate for improved security protocols in the all-cargo arena, including mandating security training and improving perimeter access controls. ALPA is also advocating for installing cockpit secondary barriers in all airline aircraft. 



## FFDO program

The administration's proposed 2014 budget eliminates funding for the Federal Flight Deck Officer (FFDO) program. ALPA adamantly opposes this misguided proposal and is taking aggressive action to prevent this potential security reduction from occurring. Please join ALPA's Call to Action and be heard. Your voice can make a difference. The FFDO program's funding was under attack last year as well, and due to ALPA's continuous efforts—including assertive action by ALPA pilot volunteers—to raise awareness on Capitol Hill regarding this critical security program, funding for the FFDO program was maintained. As the Homeland Security and Appropriations Committees debate additional aviation security matters and funding, ALPA will seek all avenues to improve the structure of the FFDO program and grow its budget to allow qualified pilots to enter the training program. 



# THE PILOT PARTISAN AGENDA

## ALPA Pilots Show Support for Safe Skies Act

ALPA pilots from across the union have spoken out to members of the U.S. Congress to express their ironclad support for the Safe Skies Act (H.R. 182), legislation that would apply the FAA's flight- and duty-time limits and minimum rest requirements to all airline pilots, including those who fly freighters.

In one example of ALPA's outreach in key congressional districts, ALPA pilots from Hawaiian Airlines met with Rep. Colleen Hanabusa (D-HI) in Honolulu. "The Hawaiian pilot group's ALPA-PAC coordinator, F/O Reid Emminger, and I recently had a positive and productive meeting with Congresswoman Hanabusa," said Capt. Frank Worthen, the Hawaiian pilot's legislative coordinator. "It became clear early on in our discussion that she shared our position on H.R. 182 and agreed to sign on as a cosponsor to the bill. That may not have happened were it not for our face-to-face meeting."

F/O Russell Melvin and F/O Kevin O'Mahoney of the Delta Master Executive Council (MEC) Government Affairs Committee advocate for one level of safety on Capitol Hill and in their congressional districts. "We have been working on this issue for more than a year, and there literally has not been an office on Capitol Hill that we have not materially touched on this issue," said O'Mahoney. "I don't believe that I have spoken to anyone who doesn't agree that one level of

safety is a good idea—members and staffers are universally receptive and positive toward airline pilots' way of thinking."

### ALPA-PAC vital tool

"ALPA-PAC is extremely important to all of ALPA's issues, not just the Safe Skies Act," said F/O Bill Secord (FedEx Express), a member of his MEC's Legislative Affairs Committee. "ALPA-



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## Health-care tax proposals

With the increased focus on the national debt, adding a tax on employer-provided health-care benefits remains a ripe target for deficit reduction, keeping ALPA engaged in the fight to defeat this unreasonable proposal. Bowles-Simpson, a widely discussed bipartisan deficit-reduction plan, and the past two budget resolutions (which carry no force of law) the House of Representatives passed do away with the tax exclusion entirely. The

Economic Policy Institute estimates that 61 percent of families would be hit with increased taxes by 2018 if the tax exclusion for employer-provided health-care benefits ends. By 2027, the average family would be paying taxes on an additional \$20,000 annually if Bowles-Simpson were implemented in 2014. ALPA will continue to strongly oppose this deeply flawed and damaging policy idea. [▶](#)



PAC helps us gain access to senators and congressmen and their staffs, allows us to inform them about our issues, and helps us build relationships. When the time comes for a final push to get one of our issues resolved, it's these trusted working relationships that allow us to quickly bring the offices up to speed."

Hundreds of ALPA pilots have joined ALPA's Call to Action to support the Safe Skies Act. Delta, FedEx Express, Hawaiian, Pinnacle, and United pilots have made more than 100 visits to their elected representatives. The legislation has nearly two dozen cosponsors so far, and ALPA pilots will work to win additional lawmakers' support in the coming weeks. To learn how to join ALPA's call for one level of safety through the Safe Skies Act, visit [www.ALPA.org/issues](http://www.ALPA.org/issues). [▶](#)