



AIR LINE PILOTS ASSOCIATION INTERNATIONAL

THE WORLD'S LARGEST PILOTS UNION • WWW.ALPA.ORG

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December 5, 2017

U.S. Department of Transportation
1200 New Jersey Ave. SE.
Washington, DC 20590

Submitted online at www.regulations.gov

Subject: DOT Regulatory Review Docket No. DOT-OST-2017-0069

Dear Sir or Madam:

The Air Line Pilots Association, International (ALPA) is the largest non-governmental aviation safety and security organization in the world. ALPA represents the collective bargaining and safety and security interests of over 59,000 pilots that fly for 33 U.S. and Canadian airlines. We are the recognized voice of the airline piloting profession in North America, with a history of safety and security advocacy spanning more than 85 years. With our strong focus on safety and security in mind, we submit the following comments to the Department of Transportation (DOT), expressing concern about any attempt to revise regulations that would reduce the safety or security of our air transportation system.

ALPA was pleased to see that the DOT has placed safety and security at the highest levels of priority in this regulatory review process. The federal register announcement included the following on page 45751:

In recognition of the fact that safety is the Department's highest priority, the Department seeks comments on those existing regulations and other agency actions that may be repealed, replaced, or modified without compromising safety.

Safety Rules: Written in Blood

Nearly all of today's safety regulations are based on the industry's accident history. Airline accidents resulting in injury or death, or accidents severely damaging an aircraft are scrutinized by accident investigation agencies. In the United States, the National Transportation Safety Board (NTSB) seeks to understand the key factors that contribute to the accident using teams of experts. Those key factors in turn are often used as the basis to modify or create regulations by the DOT and its agencies that help to ensure that an accident with the same causal factors will not happen again.

Some would say that our Nation's safety regulations are *written in blood*. Based on our experience in the accident investigation field, we completely agree. Our regulatory framework for aviation safety is based on the lessons learned from the tragedies that make up our aviation history.

With this history in mind, it is clear that the DOT cannot afford to relax its focus on ensuring aviation safety through regulations and policies. If we take our eyes off of our safety focus at any level of governance, the industry risks a setback that will cost lives and that we cannot afford.

There is no better rule to spotlight as an example of rules that should not change, than the Federal Aviation Administration's (FAA) rules covering first officer minimum qualifications. The rules took effect in 2013 and they have demonstrably improved the overall safety of our airspace system.

The new rules were comprehensive, and they included a requirement for all airline pilots operating in Part 121 to possess an Airline Transport (ATP) certificate. The FAA also created the Restricted ATP (R-ATP) certificate options. The R-ATP certificate qualifies pilots for first officer airline pilot employment at reduced levels of flight-hour experience because of higher quality military or accredited university flight and academic training.

- 750 hours, if qualified as a military aviator
- 1,000 hours, with a four-year aviation degree
- 1,250 hours, with a two-year aviation degree

This credit is due to a combination of varying types of aeronautical experience, written and practical exams, accredited academic instruction, structured flight training, and other competitive factors that are needed to gain employment as a Part 121 airline pilot.

Prior to 9/11, many airlines maintained minimum hiring requirements that were much higher than the current 1,500 hours required for an air transport pilot ATP certificate, and far higher than the requirements that exist for the R-ATP. In the years following the attacks of 9/11, with the economic downturn in our industry and the associated large reductions in pilot pay, benefits and adverse work/life balance, airlines began to lower their hiring standards in order to attract more pilots, which led to an increase in accidents and a reduction in overall safety. While some may point to a single accident in 2009 that led to a change in first officer qualifications, the FAA has identified 31 accidents over a 10-year period that were addressed by the rules published in 2013. Four notable accidents include:

- Pinnacle (Northwest Airlink) Flight 3701, Oct. 14, 2004, Jefferson City, MO.
- Corporate Airlines (dba American Connection) Flight 5966, Oct. 19, 2004, Kirksville, MO.
- Comair (Delta Connection) Flight 5191, Aug. 27, 2006, Lexington, KY.
- Colgan Air (Continental Connection) Flight 3407, Feb. 12, 2009, Buffalo, NY

Since passage of the Airline Safety and FAA Extension Act of 2010 - the precursor to the 2013 FAA rule change - there have been no fatalities due to an accident of a U.S. Part 121 passenger airline. In comparison, in the two decades prior to enactment of this aviation safety measure, there were more than 1,100 airline passenger fatalities (Part 121), according to the National Transportation Safety Board.

As I testified in March of this year, the rule changes by the FAA in 2013 are working. The FAA decision to require R-ATP programs to include accredited university training in concert with FAA approved flight schools that utilize a structured learning environment appear to be consistent with data from other flight training segments of aviation.

In a paper presented at the 2017 National Training Aircraft Symposium (NTAS), the RAND Corporation showed, at least in USAF training, that real flight experience and increased flight time had a positive impact on the success of pilots in training in both basic and advanced phases.

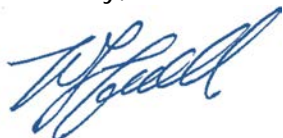
Proposals to change 61.159 and 121.436.

As part of this regulatory review comment period, the DOT received suggestions from the RAA and some regional, Fee-for-Departure airlines, as well as the Cargo Airline Association that urge the DOT to weaken the pilot training, qualification, and experience requirements. They cite portions of 14 CFR Part 61 and Part 121 that need to change. They make the false claim that there is a pilot shortage in the United States. However, these alternate facts ignore FAA data that shows there are many more qualified airline transport pilots than there are airline pilot jobs.

However, it appears that those organizations who could have focused their comments on suggesting regulatory reforms that would allow them to provide airline service to as many Americans as possible, will once again have missed out on an important opportunity to address their business challenges without the need to change the rules that would weaken safety. These organizations are willing to trade safety in the false pursuit of economic benefit. ALPA is not willing to take that risk, nor should the U.S. DOT.

In conclusion, we applaud the DOT for stating up-front that safety rules remain at the top of the rulemaking priority list, and any changes to the rules must not compromise safety. We fully believe that with safety as the highest priority, the airline industry will continue to respond to the increasing demands for airline travel, with a safety record that is second to no other form of transportation.

Sincerely,

A handwritten signature in blue ink, appearing to read 'T. Canoll', written in a cursive style.

Captain Tim Canoll
President
Air Line Pilots Association, Int'l