



Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Peter A. DeFazio
Chairman

Sam Graves
Ranking Member

Katherine W. Dedrick, Staff Director

Jack Ruddy, Republican Staff Director

August 5, 2022

The Honorable Shalanda D. Young
Director
Office of Management and Budget
Eisenhower Executive Office Building
1650 Pennsylvania Ave NW
Washington, DC 20503

Dear Director Young:

In 2018, Congress passed the Federal Aviation Administration (FAA) reauthorization law, which gave the Secretary of Transportation 30 days to modify its final rule on flight attendant duty period limitations and rest requirements to ensure a flight attendant scheduled to a duty period of 14 hours or less is given a scheduled rest period of at least 10 consecutive hours.¹ Almost four years after bipartisan passage of the law, the final rule is still not complete. This significant, prolonged delay is unacceptable and presents continued risk to aviation safety. We urge you to finalize this critical health and safety rule now.

Flight attendants are aircraft cabin first responders—highly trained professionals who must react at a moment's notice to a complex, dynamic, and often hazardous working environment. Congress mandated increased irreducible rest for flight attendants after more than three decades of advocacy from flight attendants, numerous studies commissioned by Congress that confirm the prevalence of flight attendant fatigue, independent studies by academic institutions that confirm the health risks of interrupted or lack of sleep for flight attendants, and implementation of pilot rest and duty rules that included a 10-hour minimum rest for passenger operations.²

Although the language in the 2018 FAA reauthorization law is clear, concise, and straightforward, the Notice of Proposed Rulemaking (NPRM) was not published until November 2,

¹ FAA Reauthorization Act of 2018, § 335(a), Pub. L. 115-254 (2018).

² See, e.g., Federal Aviation Administration, *Flight Attendant Fatigue, Part VI: Fatigue Countermeasure Training and Potential Benefits* (Oct. 2009), available at https://www.faa.gov/data_research/research/med_humanfacs/oamtechreports/2000s/media/200920.pdf; Eileen McNeely, et. al., *Cancer Prevalence Among Flight Attendants Compared to the General Population*, ENVIRONMENTAL HEALTH (June 26, 2018), available at <https://ehjournal.biomedcentral.com/articles/10.1186/s12940-018-0396-8>.

The Honorable Shalanda D. Young

August 3, 2022

Page 2

2021.³ As expected, the NPRM implements the requirements of the 2018 FAA reauthorization law without any changes.⁴ The NPRM comment period closed on January 3, 2022.⁵ The U.S. Department of Transportation (DOT), FAA, and OMB have had ample time to review the 808 comments received and issue a final rule.⁶

Flight attendant fatigue is real. The coronavirus pandemic and return to pre-pandemic service levels have only exacerbated the safety gap with long duty days, short nights, and often combative conditions on planes. The past several months of airline operational issues make clear that flight attendants need rest, and the DOT and FAA need to implement the 2018 Congressional mandate.

We urge you to prioritize this rulemaking and work to complete the final rule as soon as possible. Please respond by August 19, 2022, with an update on the progress of the rule. We would also appreciate a weekly update until the final rule is issued.

Thank you for your consideration of this urgent request. Should any questions arise, please contact Brian Bell with the Aviation Subcommittee majority staff at Brian.Bell@mail.house.gov.

Sincerely,

PETER A. DeFAZIO
Chair

/s/
ELEANOR HOLMES NORTON
Member of Congress

/s/
GRACE F. NAPOLITANO
Member of Congress

RICK LARSEN
Chair
Subcommittee on Aviation

/s/
EDDIE BERNICE JOHNSON
Member of Congress

/s/
STEVE COHEN
Member of Congress

³ Flight Attendant Duty Period Limitations and Rest Requirements, 2021 Fed. Reg. 23,253 (proposed Nov. 2, 2021) (to be codified at 14 C.F.R. pt. 121).

⁴ *Id.*

⁵ *Id.*

⁶ *See id.*

The Honorable Shalanda D. Young

August 3, 2022

Page 3

/s/
ALBIO SIRES
Member of Congress

/s/
JOHN GARAMENDI
Member of Congress

/s/
HENRY C. "HANK" JOHNSON, JR.
Member of Congress

/s/
ANDRÉ CARSON
Member of Congress

/s/
DINA TITUS
Member of Congress

/s/
SEAN PATRICK MALONEY
Member of Congress

/s/
JARED HUFFMAN
Member of Congress

/s/
JULIA BROWNLEY
Member of Congress

/s/
FREDERICA S. WILSON
Member of Congress

/s/
DONALD M. PAYNE, JR.
Member of Congress

/s/
ALAN S. LOWENTHAL
Member of Congress

/s/
MARK DESAULNIER
Member of Congress

/s/
STEPHEN F. LYNCH
Member of Congress

/s/
SALUD O. CARBAJAL
Member of Congress

/s/
ANTHONY G. BROWN
Member of Congress

/s/
TOM MALINOWSKI
Member of Congress

/s/
GREG STANTON
Member of Congress

/s/
COLIN Z. ALLRED
Member of Congress

The Honorable Shalanda D. Young

August 3, 2022

Page 4

/s/
SHARICE L. DAVIDS
Member of Congress

/s/
JESÚS G. GARCÍA
Member of Congress

/s/
CHRIS PAPPAS
Member of Congress

/s/
CONOR LAMB
Member of Congress

/s/
SETH MOULTON
Member of Congress

/s/
JAKE AUCHINCLOSS
Member of Congress

/s/
CAROLYN BOURDEAUX
Member of Congress

/s/
KAIALPI KAHELE
Member of Congress

/s/
MARILYN STRICKLAND
Member of Congress

/s/
NIKEMA WILLIAMS
Member of Congress

/s/
MARIE NEWMAN
Member of Congress

/s/
TROY A. CARTER
Member of Congress

/s/
SHEILA CHERFILUS-McCORMICK
Member of Congress

CC: The Honorable Pete Buttigieg, Secretary of Transportation

Acting Administrator Billy Nolen, Federal Aviation Administration

Acting Director Dominic Mancini, Office of Information and Regulatory Affairs, Office of Management and Budget

Director Brian Deese, National Economic Council, Executive Office of the President