

112TH CONGRESS
2D SESSION

H. R. 3824

To ensure that the Federal Aviation Administration addresses fatigue issues of flight attendants.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2012

Ms. HIRONO introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To ensure that the Federal Aviation Administration addresses fatigue issues of flight attendants.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Airline First Re-
5 sponder Workplace Fairness Act”.

6 **SEC. 2. FINDINGS.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) Flight attendants serve as first responders
9 responsible for the safety and well-being of pas-
10 sengers on an aircraft.

1 (2) The responsibilities of flight attendants as
2 first responders have grown since the terrorist at-
3 tacks of September 11, 2001.

4 (3) Since 2009, the Department of Labor has
5 classified flight attendants as “Essential Transpor-
6 tation Workers” along with pilots and air traffic
7 controllers.

8 (4) Impaired performance induced by fatigue
9 may compromise safety in commercial aviation.

10 (5) The Federal Aviation Administration has
11 issued a Notice of Proposed Rule Making to address
12 pilot fatigue in recognition of safety concerns in-
13 duced by fatigue.

14 (6) The Federal Aviation Administration is
15 working to address fatigue issues for air traffic con-
16 trollers through a Fatigue Risk Management System
17 Work Group.

18 (7) Fatigue among flight attendants is a perva-
19 sive concern that needs to be addressed further by
20 the Federal Aviation Administration.

21 **SEC. 3. ESTABLISHMENT OF AVIATION RULEMAKING COM-**
22 **MITTEE.**

23 (a) AVIATION RULEMAKING COMMITTEE.—Not later
24 than 60 days after the date of enactment of this Act, the
25 Administrator of the Federal Aviation Administration

1 shall establish a flight attendant duty time limitations and
2 rest requirements Aviation Rulemaking Committee to ad-
3 dress flight attendant duty time limitations and rest re-
4 quirements.

5 (b) COMPOSITION OF AVIATION RULEMAKING COM-
6 MITTEE.—The Aviation Rulemaking Committee estab-
7 lished by this section shall be comprised of aviation safety
8 subject matter experts, aviation labor representatives, and
9 aviation industry stakeholders.

10 (c) PURPOSE OF AVIATION RULEMAKING COM-
11 MITTEE.—Not later than 1 year after the date of enact-
12 ment of this Act, the Aviation Rulemaking Committee
13 shall—

14 (1) consider existing research, including the
15 findings in the reports of Civil Aerospace Medical
16 Institute studies on flight attendant fatigue; and

17 (2) develop and submit recommendations for
18 the Administrator to be included in a final rule to
19 minimize flight attendant fatigue.

20 (d) RULEMAKING.—The Administrator shall issue
21 regulations to minimize flight attendant fatigue based on
22 the published recommendations of the Aviation Rule-
23 making Committee.

1 **SEC. 4. DEADLINES.**

2 After the receipt of the recommendations of the Avia-
3 tion Rulemaking Committee convened under section 3, the
4 Administrator shall issue—

5 (1) not later than 1 year after such receipt, a
6 notice of proposed rulemaking; and

7 (2) not later than 18 months after the receipt,
8 a final rule.

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