



**AIR LINE PILOTS ASSOCIATION, INTERNATIONAL**

1625 MASSACHUSETTS AVENUE, N.W. □ WASHINGTON, D.C. 20036 □ 703-689-2270  
888-FLY-ALPA (888-359-2572) □ FAX 202-797-4052

January 6, 2012

Dear ALPA Member,

I wanted to take the opportunity to communicate to you directly my extreme disappointment that the recently released FAA regulation updating flight duty and rest requirements excluded cargo operations from applicability and my resolve that together we will correct this wrong. In the time since the regulation was released on December 21, 2011, I have heard from many ALPA members who are rightfully outraged at the government's exclusion of cargo pilots from the new rule. I share your anger and your disbelief that the regulations could hold cargo operations to a lesser standard based strictly on cost justifications. This is unacceptable.

How could this have happened? The initial draft regulation published for public review and comment—largely based on the work of the Aviation Rulemaking Committee co-chaired by ALPA—applied uniformly across all FAR 121 operations, passenger and cargo alike. Later, however, ALPA became aware that cargo operations could be potentially be carved out of the new rule. Immediately, ALPA fought back vehemently against the carve-out, activating our grassroots through Calls to Action, blitzing Capitol Hill, utilizing our ALPA-PAC dollars, communicating with decision-makers and the media, and visiting the White House Office of Management and Budget on multiple occasions to make our case. Of course, the other side, activated their political and spin machine as well, putting forward excessively high and speculative estimates of the negative job impact and decreased profit margins the proposed rule would have on the cargo industry. Unfortunately, in this round, we were unsuccessful in defeating the special interests that advocated for the cargo carve-out. The fact remains, this carve-out is not about a single level of safety based on science, but rather about avoiding costs, all at a time when many of these companies are making healthy profits. We may have lost the round, but the fight continues.

We will continue to fight for the same regulatory safety standards for all types of flight operations across the airline industry. Science—and common sense—tells us that, as human beings, airline pilots don't feel fatigue differently based on whether

the back of the airplane contains people or boxes.

Since the public release of the final rule, ALPA has been engaged at all levels of our government, including the FAA, DOT, and on Capitol Hill outlining our serious safety concerns. We are preparing legislative language to include cargo operations under FAR 117 and will be aggressively seeking support on Capitol Hill for this effort. Importantly, this new rule does not preclude cargo air carriers from voluntarily following and implementing these new regulations. In fact, the cargo carriers and their trade associations that participated in the Aviation Rulemaking Committee (ARC) process commented that the flight time and duty time rules needed to be updated. However, they disagreed with the non-cargo carrier representatives' recommendations as to how they should be modernized. Therefore, we are communicating with senior management at the cargo air carriers, and calling on them to implement these new regulations voluntarily.

ALPA will not stop fighting to bring cargo carriers under the new rule—and neither should airline passengers or anyone committed to the safety of air transportation. All airline pilots must be given identical protections against fatigue.

Sincerely,

A handwritten signature in black ink that reads "Donald Lee Moak". The signature is written in a cursive, flowing style.

D. Lee Moak  
President