



## **FTDT NPRM TIMELINE**

The purpose of this attachment is to update you on some of the actions that have been taken in order to address the December 21<sup>st</sup>, 2011 release of the final FAR Part 117 Flight and Duty Time Rules.

In order to fully understand the magnitude of our efforts in this rule making, we must revisit the timeline and actions to date in this campaign:

- June 24, 2009 FAA Administrator establishes the Flight and Duty Time Limitations and Rest Requirements Aviation Rulemaking Committee.
- MEC Chairman Scott Stratton's first action upon assuming office in July 1<sup>st</sup>, 2009 was to get an FDX ALPA Pilot appointed to the Aviation Rule Making Committee.
  - Captain Bill Soer appointed to the ARC on July 2<sup>nd</sup>, 2009.
  - Captain Soer establishes a special FDX ALPA sub-committee to assist in forming input to the ARC.
- ARC reports out to the FAA on September 1<sup>st</sup>, 2009.
- Captain Soer and SME's work with ALPA National's new Flight and Duty Time Policy.
  - New ALPA FT/DT Policy approved by the Executive Council in October 2009
- Congressional Mandate issued on August 1<sup>st</sup>, 2010 to the FAA Administrator to issue regulations "to limit the number of flight hours and duty time hours allowed for pilots to address pilot fatigue".
  - Final Rule mandated for publication by August 1<sup>st</sup>, 2011
- Notice of Proposed Rulemaking (NPRM) published on September 14<sup>th</sup>, 2010
  - 60 day Comment period established with specific guidance requested by the FAA.
  - ALPA National and the FDX MEC submitted detailed comments on the proposed rules.
- During November and December 2010, Captain Soer testified before the National Research Council; Transportation Research Board Committee on the Effects of commuting on pilot fatigue.
- January 2011, Inhofe amendment defeated (carved out FAR 121 Supplemental Operations out of NPRM)
- March 2011, Kline amendment defeated (carved out FAR 121 Supplemental Operations out of NPRM)
- March 2011, Young amendment defeated (carved out FAR 121 Supplemental Operations out of NPRM)
- April 2011 Schuster amendment passed House (would have eliminate one level of safety)
  - Call to Action subsequently assisted in getting amendment withdrawn.

- June 7<sup>th</sup> 2011, Captain Soer and ALPA National Brief Deputy Assistant Secretary of Defense for Transportation Policy on the need for DOD to support one level of safety.
- July 25<sup>th</sup>, 2011 FDX ALPA participates with ALPA National at OMB Briefing to advocate for one level of safety in the new rules.
- Final Rule sent from the FAA to the White House Office of Management and Budget in August 2011.
- September 15<sup>th</sup> 2011, Captain Soer briefed, as part of an ARC group, the US Transportation Command on DOD's need to support one level of safety.
  - DOD issues message of support for one level of safety on October 25<sup>th</sup> 2011.
- December 19<sup>th</sup> 2011, FDX MEC passes [resolution 11-30 -click here](#)(call for FedEx to voluntarily comply with new FAR's should there be a cargo carve out)
- Final Rule issued on December 21<sup>st</sup> 2011
  - Establishes new FAR Part 117
  - Amends FAR 121 to include Fatigue Risk Management (FRMS) inclusion
  - Does not include "all cargo airlines" yet allows a voluntary "opt in" clause.
- December 22<sup>nd</sup>, 2011 UPS Independent Pilots Association (IPA) files Federal Lawsuit challenging the FAA rulemaking process and actions with respect to the Cargo Opt In.
- December 2011 and January 2012 FDX ALPA reconstitutes SME team and conducts internal rules evaluations in order to brief MEC and Officers on plan of action.
- January 11<sup>th</sup>, 2012 FDX MEC and SME's receive a detailed briefing from ALPA National Legal Counsel on:
  - Path forward and issues related to potential litigation.
  - Discussed legislative efforts that will be undertaken.