



April 11, 2016

Senate Majority Leader Mitch McConnell  
S-230 Capitol Building  
Washington, DC 20510

Senate Minority Leader Harry Reid  
S-221 Capitol Building  
Washington, DC 20510

Senator John Thune, Chairman  
Senate Commerce, Science, and  
Transportation Committee  
511 Dirksen Senate Office Building  
Washington, DC 20510

Senator Bill Nelson, Ranking Member  
Senate Commerce, Science, and  
Transportation Committee  
716 Hart Senate Office building  
Washington, DC 20510

Dear Majority Leader McConnell, Ranking Member Reid, Chairman Thune, and Ranking Member Nelson:

As the Chief Pilots of America's largest all-cargo airlines, we are writing to explain why changing the flight and duty time rules that apply to all-cargo carriers is a bad idea and that doing so could actually make our operations less safe and put our pilots at risk. The Federal Aviation Administration (FAA) has carefully analyzed changing the rest rules and found virtually zero benefit in applying the passenger fatigue rules to all-cargo carriers. Additionally, on March 24, 2016, the US Court of Appeals denied the Independent Pilots Association's Petition to change the rules and found that the FAA acted reasonably in its decision to exempt all-cargo pilots from Part 117 passenger pilot rest rules. However despite this, we understand Senator Boxer has offered amendment #3489 that would apply the passenger carrier rules to our very safe all-cargo industry.

We have been working in all-cargo operations around the globe for a combined 121 years of experience between us, and during that time we have come to understand the effects of fatigue as well as the ways to prevent or mitigate that fatigue. Put simply, measures used to prevent fatigue must be different for passenger carriers than they are for cargo carriers because our work schedules are different. We fly fewer legs, have longer layovers, and have better rest opportunities on our trips, including while technically "on duty" waiting for our nightly sorts to occur. Resting during the loading of aircraft has a dramatic impact on our alertness. This rest, our longer layover times, and the ability to call in fatigued, makes our operation and how we deal with fatigue at night a proven success. We typically start fewer trips per month, thus affording us better opportunities to be fully rested before we fly and better opportunities to recover thereafter. Perhaps most significantly, we fly an average of 34 hours per month (express segment) and 45.5 hours per month (heavy freight segment) – while passenger carrier pilots fly approximately 60 hours each month.<sup>1</sup>

Over the years, we have capitalized on the unique opportunities for fatigue risk management systems that offer scientifically sound protections on top of existing FAA regulations. These

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<sup>1</sup> Source: FAA Initial Supplemental Regulatory Analysis, December 7, 2012.

systems are tailored to the flying we do, and they help keep us rested and safe. Imposing rules that are clearly designed for passenger airline operations on all-cargo carriers would be ill-advised and unwarranted.

We are proud to work for airlines that have gone above and beyond the requirements of existing cargo regulations and that are at the forefront of fatigue risk management research. Rest assured that, as pilots, we do not take any aircraft safety issue lightly. We simply ask that, if faced with misguided attempts to apply passenger-centric Part 117 rules to cargo airlines, you consider our strong belief that such efforts would be counterproductive and vote no on Senator Boxer's amendment #3489.

Thank you for your time and consideration of this important safety issue.



Dean Cook  
Chief Pilot, ABX Air



Raymond DuFour  
Chief Pilot, Atlas Air, Inc.



Rob Fisher  
Chief Pilot, FedEx Express



Roger Quinn  
Chief Pilot, UPS Airlines