



March 4, 2014

To Members of the United States Senate:

As aviation community stakeholders, we are writing to express our support for S. 1941, commonsense bipartisan legislation to address the sweeping Federal Aviation Administration (FAA) proposal to change the policy on sleep apnea for pilots and air traffic controllers without the benefit of a rulemaking process. Further, we wish to express our collective hope that passing this important bill in a timely fashion will be a priority for the U.S. Senate in the coming weeks.

Let us be clear that the undersigned organizations universally support efforts to combat fatigue in the aviation industry. However, it is essential that stakeholders be treated as partners in order to effect positive change in aviation safety. Unfortunately, the FAA's proposal to require pilots and air traffic controllers with a Body Mass Index (BMI) of 40 or greater to be tested for Obstructive Sleep Apnea (OSA) is not only unnecessary and costly, but would have only a questionable impact on the safety of our nation's skies.

First and foremost, OSA has never been identified as a causal or contributing factor in a single fatal aviation accident. Furthermore, the policy would unjustly rescind the medical certificate for certain pilots until they have undergone burdensome and costly screening for OSA before being allowed to reapply for their medical clearance under a lengthy special issuance process, during which the pilot is either unable to fly or earn a living as a pilot or air traffic controller.

The bi-partisan legislation introduced by Senators James Inhofe (R-OK) and Joe Manchin (D-WV) would require the FAA to follow the established rulemaking process before enacting policy changes on sleep apnea for pilots. Companion legislation, introduced by House Aviation Subcommittee Chairman Frank LoBiondo (R-NJ) and Ranking Member Rick Larsen (D-WA), passed the House by voice vote on February 11<sup>th</sup>. It is also important to note that H.R. 3578, which is identical to S. 1941, was determined by the Congressional Budget Office to have no significant impact on the federal budget.

We look forward to working with the Senate to ensure swift passage of S. 1941 in order to ensure that all stakeholders have the opportunity to comment through the established rulemaking process. Passage of this important measure would ensure that any resulting policy on sleep apnea would achieve the desired broader objectives of a safer National Airspace System.

Sincerely,

*Aircraft Owners and Pilots Association  
Allied Pilots Association  
Experimental Aircraft Association  
General Aviation Manufacturers  
Association  
Helicopter Association International*

*National Agricultural Aviation Association  
National Business Aviation Association  
NetJets Association of Shared Aircraft Pilots  
Recreational Aviation Foundation  
Southwest Airlines Pilots Association*