

Congress of the United States
House of Representatives
Washington, DC 20515

Statement of
The Honorable Mazie K. Hirono
H.R. 658, the “FAA Reauthorization and Reform Act of 2011”
February 16, 2011
FULL COMMITTEE MARK-UP
AMENDMENT TO PROVIDE OCCUPATIONAL SAFETY AND HEALTH
STANDARDS FOR FLIGHT ATTENDANTS
[As Prepared for Delivery]

Mr. Chairman, I have an amendment at the desk. I ask unanimous consent that the amendment be considered as read.

This amendment is simple—it would apply the same occupational safety and health protections to flight attendants that workers across the country in other occupations enjoy.

These protections are long overdue. Flight attendants work in one of the most hazardous workplaces of any in this country. They spend their days—and nights—at different altitudes, in different air pressure conditions, and in the case of those travelling to and from Hawaii, in different time zones. While in the air, they are the first responders to emergencies that can expose them to any number of viruses or bacteria carried by passengers.

These and other situations that flight attendants are forced to face on a daily basis has made them exceedingly likely to be exposed to workplace injuries and illnesses. According to the Department of Labor’s Bureau of Labor Statistics the occurrence of injury and illness among air transportation workers is more than twice the national average. Yet, unlike workers in industries like mining, construction, and manufacturing, flight attendants are not protected under occupational safety and health standards. As my colleagues know, in 2000 the Federal Aviation Administration (FAA) and Occupational Safety and Health Administration (OSHA) signed a memorandum of understanding (MOU) to address occupational safety and health issues for cabin crew members.

(more)

However, 11 years later, all that there is to show of this agreement is a report—released in 2000—that charted a path toward implementing safety and health protections for flight attendants. This work must be resumed, and that is precisely the intent of my amendment. This amendment directs the FAA and OSHA to move forward with this important work. It directs the agencies to develop a policy statement within one year that sets forth the circumstances in which OSHA standards and regulations may be applied to crewmembers while working in the aircraft. The amendment also establishes a coordinating body made up of representatives from the agencies, labor organizations, air carriers, and others. Finally, it also requires that the FAA ensures that these standards are implemented and enforced properly.

In order to ensure that flight attendants can do their jobs and help keep their passengers safe, we must ensure that the standards under which they work will allow them to avoid injury and illness. Every American deserves to be safe in their workplace. It is in the interest of the travelling public that we can make sure the people on whom they depend to get them safely to their destinations are safe while they are working. I urge my colleagues to support this amendment and yield back the balance of my time.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
 FULL COMMITTEE – ROLL CALL
 U.S. HOUSE OF REPRESENTATIVE – 112TH CONGRESS

Number of Members: (33/26) Quorum: 30 Working Quorum: 20

Date: February 16, 2011 Presiding: Chairman Mica

Amendment or matter voted on: Hirono OSHA Amendment to H.R. 658 FAA Reauthorization and Reform Act of 2011

Vote: 28 – 31

	Yeas	Nays	Present		Yeas	Nays	Present
<i>Mr. Mica</i>		X		<i>Mr. Larsen</i>	X		
Mr. Rahall	X			<i>Mr. Lipinski</i>	X		
<i>Mr. Altmire</i>	X			Mr. LoBiondo	X		
Mr. Barletta		X		Mr. Long		X	
<i>Mr. Bishop</i>	X			Mr. Meehan		X	
<i>Mr. Boswell</i>	X			<i>Mr. Michaud</i>	X		
<i>Ms. Brown</i>	X			Mr. Miller (CA)		X	
Dr. Bucshon		X		Ms. Miller (MI)	X		
<i>Ms. Capito</i>		X		<i>Mr. Nadler</i>	X		
<i>Mr. Capuano</i>	X			<i>Mrs. Napolitano</i>	X		
<i>Mr. Carnahan</i>	X			<i>Ms. Norton</i>	X		
Mr. Coble		X		Mr. Petri		X	
<i>Mr. Cohen</i>	X			Mr. Reed		X	
<i>Mr. Costello</i>	X			<i>Ms. Richardson</i>	X		
Mr. Cravaack		X		Ms. Schmidt		X	
Mr. Crawford		X		<i>Mr. Shuler</i>	X		
<i>Mr. Cummings</i>	X			Mr. Shuster		X	
<i>Mr. DeFazio</i>	X			<i>Mr. Sires</i>	X		
Mr. Denham		X		Mr. Southerland		X	
Mr. Duncan		X		<i>Mr. Walz</i>	X		
<i>Ms. Edwards</i>	X			Mr. Young		X	
Mr. Farenthold		X					
<i>Mr. Filner</i>	X						
Mr. Fincher		X					
Mr. Gibbs		X					
Mr. Graves		X					
Mr. Guinta		X					
Mr. Hanna		X					
Dr. Harris		X					
Mrs. Herrera Beutler		X					
<i>Ms. Hirono</i>	X						
<i>Mr. Holden</i>	X						
Mr. Hultgren		X					
Mr. Hunter		X					
Mr. Johnson (IL)		X					
<i>Ms. Johnson (TX)</i>	X						
Mr. Landry		X					
Mr. Lankford		X					

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Statement of
The Honorable Mazie K. Hirono
H.R. 658, the “FAA Reauthorization and Reform Act of 2011”
February 16, 2011
FULL COMMITTEE MARK-UP
FLIGHT ATTENDANT FATIGUE AMENDMENT
[As Prepared for Delivery]

Mr. Chairman, I have an amendment at the desk. I ask unanimous consent that the amendment be considered read.

As you all know, my home state of Hawaii is uniquely dependent upon air travel. It is the primary mode of transportation for people travelling from the U.S. mainland and other countries—as well as from island to island.

Flights to Hawaii are long. They cover vast expanses of ocean and cross time zones. Because of these unique circumstances, I am acutely aware of the importance of ensuring that the members of every flight crew are adequately rested and alert while discharging their duties.

My amendment is designed to strengthen necessary protections for airline workers, which will also enhance the safety of the travelling public.

This amendment will help to put in place common-sense policies to prevent flight attendant fatigue. These are the same type of policies that the *Airline Safety and Federal Aviation Administration Extension Act of 2010* required for pilots. That legislation passed this chamber by voice vote, and the Senate by unanimous consent. I believe it is as strong a statement as any that fatigue is clearly detrimental to air crews ability to do their jobs safely.

Unfortunately, the rulemaking that provided pilots with standards to guard against fatigue failed to include flight attendants. However, legislation has been enacted that directed the FAA’s Civil Aerospace Medical Institute (CAMI) to study the topic of flight attendant fatigue. Funding to carry out this study has already been appropriated, and to date five parts of the study are complete.

(more)

Given that this study has already been funded and has produced comprehensive recommendations, the language requiring a study currently contained in Section 308 of the bill we are marking up today is no longer needed. Instead, my amendment will take the next step toward ensuring the safety of both our in-flight workforce and the travelling public.

First, this amendment requires the Administrator of the FAA to develop recommendations for a final rule aimed at minimizing flight attendant fatigue. Second, it creates an Aviation Rulemaking Committee to help come up with recommendations, and directs the Administrator to consider existing research including the CAMI study. Finally, the amendment requires the Administrator to promulgate regulations to reduce flight attendant fatigue.

So far, the results of the Civil Aerospace Medical Institute's study support the conclusion that action on this front is needed.

The study has found that "fatigue is a pervasive condition across the flight attendant community." Additionally, in June of 2007, the former international president of the Association of Flight Attendants, Patricia Friend testified before the Aviation Subcommittee on the matter of flight attendant fatigue. She indicated that since 9/11 the security responsibilities of flight attendants have greatly increased. Flight attendants must always be vigilant of what is going on in the aircraft cabin—and, as I'm sure we all know, fatigue seldom makes one more vigilant.

To underscore this point, I'd like to read a quote that was provided to NASA's Aviation Safety Reporting System by a flight attendant. This person reported, "I am filing this report because I was so tired I don't know if I made any mistakes. I know the trip was legal, but it wasn't humane." Another flight attendant reported that she had to pinch herself just to stay awake.

That quote should be a chilling call to arms for everyone here. No one, in any occupation, should ever be so exhausted that they have to pinch themselves to stay awake, or can't remember if they've made a mistake at work. That type of work environment is bad for the worker and bad for the people who are depending on that worker.

By adopting this amendment today, we will be improving the safety of the travelling public. We will also be ensuring that all of the crewmembers charged with safely getting us to our destinations—pilots and flight attendants—are treated equally.

I urge my colleagues to support this amendment, and yield back my time.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
 FULL COMMITTEE – ROLL CALL
 U.S. HOUSE OF REPRESENTATIVE – 112TH CONGRESS

Number of Members: (33/26) Quorum: 30 Working Quorum: 20

Date: February 16, 2011 Presiding: Chairman Mica

Amendment or matter voted on: Hirono (Fatigue) Amendment to H.R. 658 FAA Reauthorization and Reform Act of 2011

Vote: 29 – 30

	Yeas	Nays	Present		Yeas	Nays	Present
<i>Mr. Mica</i>		X		<i>Mr. Larsen</i>	X		
Mr. Rahall	X			<i>Mr. Lipinski</i>	X		
<i>Mr. Altmire</i>	X			Mr. LoBiondo	X		
Mr. Barletta		X		Mr. Long		X	
<i>Mr. Bishop</i>	X			Mr. Meehan		X	
<i>Mr. Boswell</i>	X			<i>Mr. Michaud</i>	X		
<i>Ms. Brown</i>	X			Mr. Miller (CA)		X	
Dr. Bucshon		X		Ms. Miller (MI)	X		
<i>Ms. Capito</i>		X		<i>Mr. Nadler</i>	X		
<i>Mr. Capuano</i>	X			<i>Mrs. Napolitano</i>	X		
<i>Mr. Carnahan</i>	X			<i>Ms. Norton</i>	X		
Mr. Coble		X		Mr. Petri		X	
<i>Mr. Cohen</i>	X			Mr. Reed		X	
<i>Mr. Costello</i>	X			<i>Ms. Richardson</i>	X		
Mr. Cravaack		X		Ms. Schmidt		X	
Mr. Crawford		X		<i>Mr. Shuler</i>	X		
<i>Mr. Cummings</i>	X			Mr. Shuster		X	
<i>Mr. DeFazio</i>	X			<i>Mr. Sires</i>	X		
Mr. Denham		X		Mr. Southerland		X	
Mr. Duncan		X		<i>Mr. Walz</i>	X		
<i>Ms. Edwards</i>	X			Mr. Young		X	
Mr. Farenthold		X					
<i>Mr. Filner</i>	X						
Mr. Fincher		X					
Mr. Gibbs		X					
Mr. Graves		X					
Mr. Guinta		X					
Mr. Hanna		X					
Dr. Harris		X					
Mrs. Herrera Beutler		X					
<i>Ms. Hirono</i>	X						
<i>Mr. Holden</i>	X						
Mr. Hultgren		X					
Mr. Hunter		X					
Mr. Johnson (IL)	X						
<i>Ms. Johnson (TX)</i>	X						
Mr. Landry		X					
Mr. Lankford		X					