

BLACKBURN-4



AMENDMENT NO. _____

Calendar No. _____

Purpose: To raise the retirement age for pilots engaged in
commercial aviation operations.

IN THE SENATE OF THE UNITED STATES—118th Cong., 1st Sess.

S. _____

To amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2024 through 2028, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mrs. BLACKBURN
(for herself and Mr. GRAHAM)

Viz:

1 At the end of subtitle A of title V, add the following:

2 **SEC. 511. INCREASED RETIREMENT AGE FOR PILOTS.**

3 Section 44729 of title 49, United States Code, is
4 amended to read as follows:

5 **“§ 44729. Age standards for pilots**

6 “(a) IN GENERAL.—A pilot may serve in multicrew
7 covered operations until attaining 67 years of age.

8 “(b) COVERED OPERATIONS DEFINED.—In this sec-
9 tion, the term ‘covered operations’ means operations under
10 part 121 of title 14, Code of Federal Regulations, unless
11 the operation takes place in—

1 “(1) the territorial airspace of a foreign country
2 where such operations are prohibited by the foreign
3 country; or

4 “(2) international airspace where such oper-
5 ations are not in compliance with the Annexes to the
6 Convention on International Civil Aviation.

7 “(c) REGULATIONS.—On and after the date of enact-
8 ment of the FAA Reauthorization Act of 2023, sub-
9 sections (d) and (e) of section 121.383 of title 14, Code
10 of Federal Regulations, shall be deemed to have been
11 amended to increase the age listed in such subsections to
12 67 years of age.

13 “(d) APPLICABILITY.—

14 “(1) NONRETROACTIVITY.—No person who has
15 attained 65 years of age before the date of enact-
16 ment of the FAA Reauthorization Act of 2023 may
17 serve as a pilot for an air carrier engaged in covered
18 operations unless—

19 “(A) such person is in the employment of
20 that air carrier in such operations on such date
21 of enactment as a required flight deck crew
22 member; or

23 “(B) such person is newly hired by an air
24 carrier as a pilot on or after such date of enact-
25 ment without credit for prior seniority or prior

1 longevity for benefits or other terms related to
2 length of service prior to the date of rehire
3 under any labor agreement or employment poli-
4 cies of the air carrier.

5 “(2) PROTECTION FOR COMPLIANCE.—An ac-
6 tion taken in conformance with this section, taken in
7 conformance with a regulation issued to carry out
8 this section, or taken prior to the date of enactment
9 of the FAA Reauthorization Act of 2023 in conform-
10 ance with subsection (d) or (e) of section 121.383 of
11 title 14, Code of Federal Regulations (as in effect
12 before such date), may not serve as a basis for liabil-
13 ity or relief in a proceeding, brought under any em-
14 ployment law or regulation, before any court or
15 agency of the United States or of any State or local-
16 ity.

17 “(e) AMENDMENTS TO LABOR AGREEMENTS AND
18 BENEFIT PLANS.—Any amendment to a labor agreement
19 or benefit plan of an air carrier that is required to conform
20 with the requirements of this section or a regulation issued
21 to carry out this section, and is applicable to pilots rep-
22 resented for collective bargaining, shall be made by agree-
23 ment of the air carrier and the designated bargaining rep-
24 resentative of the pilots of the air carrier.

25 “(f) MEDICAL STANDARDS AND RECORDS.—

1 “(1) MEDICAL EXAMINATIONS AND STAND-
2 ARDS.—Except as provided by paragraph (2), a per-
3 son serving as a pilot for an air carrier engaged in
4 covered operations shall not be subject to different
5 medical standards, or different, greater, or more fre-
6 quent medical examinations, on account of age un-
7 less the Administrator of the Federal Aviation Ad-
8 ministration determines (based on data received or
9 studies published after the date of enactment of the
10 FAA Reauthorization Act of 2023) that different
11 medical standards, or different, greater, or more fre-
12 quent medical examinations, are needed to ensure an
13 adequate level of safety in flight.

14 “(2) DURATION OF FIRST-CLASS MEDICAL CER-
15 TIFICATE.—No person who has attained 60 years of
16 age may serve as a pilot of an air carrier engaged
17 in covered operations unless the person has a first-
18 class medical certificate. Such a certificate shall ex-
19 pire on the last day of the 6-month period following
20 the date of examination shown on the certificate.

21 “(g) SAFETY TRAINING.—Each air carrier engaged
22 in covered operations shall continue to use pilot training
23 and qualification programs approved by the Federal Avia-
24 tion Administration.”.