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August 23, 2023

The Honorable Maria Cantwell
Chair, Senate Committee on Commerce,
Science, and Transportation
254 Russell Senate Office Building
Washington, DC 20510

The Honorable Ted Cruz
Ranking Member, Senate Committee on
Commerce, Science, and Transportation
512 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Tammy Duckworth
Chair, Aviation Safety, Operations, and
Innovation Subcommittee
254 Russell Senate Office Building
Washington, DC 20510

The Honorable Jerry Moran
Ranking Member, Aviation Safety, Operations,
and Innovation Subcommittee
512 Dirksen Senate Office Building
Washington, DC 20510

Dear Chair Cantwell and Ranking Member Cruz,

On behalf of the 2.1 million members of AMAC, the Association of Mature American Citizens, including over 61,000 members in Washington, and 195,000 members in Texas, we ask the committee to include language to modernize the retirement age of pilots before reporting S. 1939, the “FAA Reauthorization Act of 2023,” to the full Senate. Americans are working longer than ever, and the age for normal retirement with Social Security has reached 67; however, the mandatory retirement age for pilots remains at age 65. As an organization representing older Americans, AMAC requests that the Senate version of FAA reauthorization include matching language from the House-passed reauthorization legislation.

The availability of pilots is a significant challenge facing airlines. High entrance standards create a bottleneck for new pilots entering the industry, a necessary requirement to ensure pilots meet the minimum safety training for flight status; simultaneously, the mandatory age limit prematurely removes experienced pilots from eligible flight status at age 65. These challenges reduce the pool of pilots able to staff airlines. The problem caused by the pilot shortage has already been seen as multiple carriers have been forced to cancel flights and reduce available routes.

The mandatory retirement age itself is arbitrary and unsubstantiated. No data indicates a causal link that pilots above age 65 introduce an unmitigable safety of flight risk. In a time when equal opportunity policies are in place to prevent workplace discrimination, this age limit codifies a practice of ageism in the airline industry that this recommended amendment would alleviate when added to the FAA Reauthorization Act.

We urge the following language from H.R. 3935 be added to the FAA Reauthorization Act:

SEC. 330. AGE STANDARDS FOR PILOTS.

Section 44729 of title 49, United States Code, is amended—
(1) in subsection (a)—

- (A) by striking “Subject to the limitation in subsection (c), a” and inserting “A”; and
- (B) by striking “65” and inserting “67”;
- (2) in subsection (b)(1) by striking “; or” and inserting “, unless the operation takes place in airspace where such operations are not permitted; or”;
- (3) by striking subsection (c) and redesignating subsections (d) through (h) as subsections (c) through (g), respectively;
- (4) in subsection (c), as so redesignated—
 - (A) in the heading by striking “60” and inserting “65”;
 - (B) by striking “the date of enactment of this section,” and inserting “the date of enactment of the Securing Growth and Robust Leadership in American Aviation Act,”;
 - (C) by striking “section 121.383(c)” and inserting “subsections (d) and (e) of section 121.383”; and
 - (D) by inserting “(or any successor regulations)” after “Regulations”;
- (5) in subsection (d), as so redesignated—
 - (A) by striking paragraph (1) and inserting the following:

“(1) RETROACTIVITY.—A person who has attained 65 years of age on or before the date of enactment of the Securing Growth and Robust Leadership in American Aviation Act may return to service as a pilot for an air carrier engaged in covered operations.”; and
 - (B) in paragraph (2) by striking “section, taken in conformance with a regulation issued to carry out this section, or taken prior to the date of enactment of this section in conformance with section 121.383(c) of title 14, Code of Federal Regulations (as in effect before such date of enactment), may” and inserting “section or taken in conformance with a regulation issued to carry out this section, may”; and
- (6) by adding at the end, the following:

“(h) Savings Clause.—An air carrier engaged in covered operations described in subsection (b)(1) on or after the date of enactment of the Securing Growth and Robust Leadership in American Aviation Act may not require employed pilots to serve in such covered operations after attaining 65 years of age.”.

AMAC thanks you, Senator Cantwell, Senator Cruz, and the Senate Committee on Commerce, Science, and Transportation, for considering this request. The welfare of our national air transportation system needs more pilots, letting experienced pilots continue to fly is an easy solution to this critical issue.

Sincerely,



Bob Carlstrom
President
AMAC Action