

118TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To amend title 49, United States Code, to raise the retirement age for pilots engaged in commercial aviation operations, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. GRAHAM introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend title 49, United States Code, to raise the retirement age for pilots engaged in commercial aviation operations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Let Experienced Pilots  
5 Fly Act”.

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

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

1 **“§ 44729. Age standards for pilots**

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

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

8 “(1) the territorial airspace of a foreign country  
9 where such operations are prohibited by the foreign  
10 country; or

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

14 “(c) REGULATIONS.—On and after the date of enact-  
15 ment of the Let Experienced Pilots Fly Act, subsections  
16 (d) and (e) of section 121.383 of title 14, Code of Federal  
17 Regulations, shall be deemed to have been amended to in-  
18 crease the age listed in such subsections to 67 years of  
19 age.

20 “(d) APPLICABILITY.—

21 “(1) NONRETROACTIVITY.—No person who has  
22 attained 65 years of age before the date of enact-  
23 ment of the Let Experienced Pilots Fly Act may  
24 serve as a pilot for an air carrier engaged in covered  
25 operations unless—

1           “(A) such person is in the employment of  
2           that air carrier in such operations on such date  
3           of enactment as a required flight deck crew  
4           member; or

5           “(B) such person is newly hired by an air  
6           carrier as a pilot on or after such date of enact-  
7           ment without credit for prior seniority or prior  
8           longevity for benefits or other terms related to  
9           length of service prior to the date of rehire  
10          under any labor agreement or employment poli-  
11          cies of the air carrier.

12          “(2) PROTECTION FOR COMPLIANCE.—An ac-  
13          tion taken in conformance with this section, taken in  
14          conformance with a regulation issued to carry out  
15          this section, or taken prior to the date of enactment  
16          of the Let Experienced Pilots Fly Act in conform-  
17          ance with subsection (d) or (e) of section 121.383 of  
18          title 14, Code of Federal Regulations (as in effect  
19          before such date), may not serve as a basis for liabil-  
20          ity or relief in a proceeding, brought under any em-  
21          ployment law or regulation, before any court or  
22          agency of the United States or of any State or local-  
23          ity.

24          “(e) AMENDMENTS TO LABOR AGREEMENTS AND  
25          BENEFIT PLANS.—Any amendment to a labor agreement

1 or benefit plan of an air carrier that is required to conform  
2 with the requirements of this section or a regulation issued  
3 to carry out this section, and is applicable to pilots rep-  
4 resented for collective bargaining, shall be made by agree-  
5 ment of the air carrier and the designated bargaining rep-  
6 resentative of the pilots of the air carrier.

7 “(f) MEDICAL STANDARDS AND RECORDS.—

8 “(1) MEDICAL EXAMINATIONS AND STAND-  
9 ARDS.—Except as provided by paragraph (2), a per-  
10 son serving as a pilot for an air carrier engaged in  
11 covered operations shall not be subject to different  
12 medical standards, or different, greater, or more fre-  
13 quent medical examinations, on account of age un-  
14 less the Administrator of the Federal Aviation Ad-  
15 ministration determines (based on data received or  
16 studies published after the date of enactment of the  
17 Let Experienced Pilots Fly Act) that different med-  
18 ical standards, or different, greater, or more fre-  
19 quent medical examinations, are needed to ensure an  
20 adequate level of safety in flight.

21 “(2) DURATION OF FIRST-CLASS MEDICAL CER-  
22 TIFICATE.—No person who has attained 60 years of  
23 age may serve as a pilot of an air carrier engaged  
24 in covered operations unless the person has a first-  
25 class medical certificate. Such a certificate shall ex-

1       pire on the last day of the 6-month period following  
2       the date of examination shown on the certificate.

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