



Federal Aviation Administration

Memorandum

Date: April 19, 2024

To: Timothy Arel, Chief Operating Officer, Air Traffic Organization, AJO-0
David H. Boulter, Associate Administrator, Aviation Safety, AVS-1
Mark House, Assistant Administrator for Finance and Management AFN-1

From: Michael G. Whitaker, Administrator, AOA

A handwritten signature in black ink, appearing to read "M. Whitaker".

Subject: Updated Fatigue Rules

As detailed in FAA Order 1100.1C FAA Organization Policy and Standards, Chapter Four, Section 1.a.4, the FAA Administrator is charged to provide the safest, most efficient airspace system in the world through “Development of air traffic regulations and operation of air traffic control with U.S. airspace to promote safety and efficiency.” Further, as outlined in Chapter Two, Section 2.b.4 of the same document, it is the responsibility of FAA headquarters organizations to “[take] action and [issue] orders in the name of the Administrator.”

In December 2023, I requested that a small group of independent, objective experts evaluate the latest science on human sleep needs and fatigue considerations as applied to FAA’s current air traffic controller workforce, work requirements, and scheduling practices. The purpose of the evaluation was to inform FAA’s ongoing efforts to enhance the safety of the aviation system and the safety and well-being of the agency’s controller workforce. I have received the final report, entitled *Assessing Fatigue in FAA Air Traffic Operations*, from the Scientific Expert Panel on Air Traffic Controller Safety, Work Hours, and Health.

The report raises serious concerns with respect to controller fatigue and off-duty time. Based on extensive research and compelling scientific data, the Panel urges the FAA to quickly develop and implement a strategy to update the current prescriptive policies to address identified fatigue factors, especially to avoid known schedule practices that induce fatigue. Specifically, the Panel suggests the FAA require sufficient time off-duty (e.g., 10-12 hours) before all shifts, regardless of whether controllers are performing operational or non-operational tasks. Also, off-duty time should account for the circadian timing of the shift, where increased off-duty time may be required before midnight shifts.¹

¹ *Assessing Fatigue in FAA Air Traffic Operations*, April 2024 at page 2

Accordingly, I direct you to immediately make a change to FAA Order 7210.3DD to require a controller to have at least a 10-hour break from the time work ends to the start of any shift, except that an employee must have a minimum of 12 consecutive hours off duty preceding the start of a midshift. Recognizing that collective bargaining obligations exist; changes must be implemented within 90 days to ensure the Agency promptly addresses the safety recommendations made by the Scientific Expert Panel.

For purposes of this required change, a midshift is generally defined as a shift where the majority of hours fall between 10:30 p.m. and 6:30 a.m.

I also direct you to immediately determine specific circumstances around the schedule exceedances identified in the report and implement mechanisms to monitor and eliminate such exceedances. This effort should be focused on educating controllers about fatigue and developing and implementing these mechanisms to deter future occurrences in support of aviation safety and controller health. It should not involve punitive actions for past circumstances.

Further, I direct the Air Traffic Organization (ATO) and Office of Finance and Management (AFN) to support any budgetary or technical improvements necessary to substantially mitigate the risk of future exceedances; and the Office of Aviation Safety (AVS) to explore the feasibility of potential rulemaking opportunities that would establish regulatory fatigue management requirements similar to those imposed on non-Federal air traffic controllers, pilots, and flight attendants.

Lastly, I direct the Fatigue Safety Steering Committee to immediately begin collaborative efforts to integrate prescriptive policies/regulations and the Fatigue Risk Management System (FRMS) into an appropriately structured single system that provides one source for FAA ATO Fatigue Risk Management (FRM) activities. This single source repository shall be established within 90 days and include all relevant fatigue management materials, ensuring consistency across elements and emphasizing the integrated and complementary elements of the system.

cc: Nick Fuller, Executive Director, Air Traffic Safety Oversight Service, AOV-1