

113TH CONGRESS
1ST SESSION

H. R. 3578

To ensure that any new or revised requirement providing for the screening, testing, or treatment of an airman or an air traffic controller for a sleep disorder is adopted pursuant to a rulemaking proceeding, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 21, 2013

Mr. LOBIONDO (for himself, Mr. LARSEN of Washington, Mr. BUCSHON, Mr. GRAVES of Missouri, Mr. LIPINSKI, and Mr. MEEHAN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To ensure that any new or revised requirement providing for the screening, testing, or treatment of an airman or an air traffic controller for a sleep disorder is adopted pursuant to a rulemaking proceeding, 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,*

1 **SECTION 1. MEDICAL CERTIFICATION REQUIREMENTS FOR**
2 **AIRMEN AND AIR TRAFFIC CONTROLLERS**
3 **RELATING TO SLEEP DISORDERS.**

4 (a) IN GENERAL.—The Secretary of Transportation
5 may implement or enforce a requirement providing for the
6 screening, testing, or treatment (including consideration
7 of all possible treatment alternatives) of an airman or an
8 air traffic controller for a sleep disorder only if the re-
9 quirement is adopted pursuant to a rulemaking pro-
10 ceeding.

11 (b) APPLICABILITY.—Subsection (a) shall not apply
12 to a requirement that was in force before November 1,
13 2013.

14 (c) DEFINITIONS.—In this section, the following defi-
15 nitions apply:

16 (1) AIRMAN.—The term “airman” has the
17 meaning given that term in section 40102(a) of title
18 49, United States Code.

19 (2) AIR TRAFFIC CONTROLLER.—The term “air
20 traffic controller” means a civilian employee of the
21 Department of Transportation described in section
22 2109 of title 5, United States Code.

23 (3) SLEEP DISORDER.—The term “sleep dis-
24 order” includes obstructive sleep apnea.