

ORDER

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

1110.119H

MAR 23 2004

SUBJ: AVIATION RULEMAKING ADVISORY COMMITTEE

1. **PURPOSE.** This order renews the Aviation Rulemaking Advisory Committee and constitutes its charter, as required by the Federal Advisory Committee Act (P.L. 92-463, Title 5, U.S.C. Appendix II).
2. **DISTRIBUTION.** This order is distributed to the division level in Washington, the Technical Center, and the Aeronautical Center; regional administrator level in the regions; and division level in the Aircraft Certification Directorates.
3. **CANCELLATION.** Order 1110.119G, Aviation Rulemaking Advisory Committee, dated April 7, 2002 is canceled.
4. **BACKGROUND.** The Secretary of Transportation and the Administrator created a Departmental Task Force on Federal Aviation Administration (FAA) Reform to recommend improvements that could be made in the operations within the FAA itself and between the FAA and the Office of the Secretary. A subgroup of the Task Force was specifically directed to recommend changes that would improve the rulemaking process concerning safety issues. That subgroup proposed the establishment of an advisory committee to serve as a forum for the FAA to obtain input from outside the Government on major regulatory issues facing the agency. The Secretary approved the proposal to establish an advisory committee.
5. **OBJECTIVE AND SCOPE OF ACTIVITIES.** The committee is to provide advice and recommendations to the Administrator, through the Associate Administrator for Regulation and Certification, concerning the full range of the FAA's rulemaking activity with respect to aviation-related issues, such as air carrier operations, airman certification, aircraft certification, airports, and noise. The committee will afford the FAA additional opportunities to obtain direct, firsthand information and insight from the substantially affected interests, meeting together, and exchanging ideas with respect to proposed rules and existing rules that should be revised or eliminated. This advice will result in the development of better rules. However, the activities of the committee will not circumvent the normal coordination process or the public rulemaking procedures. Any FAA/committee communication on any particular issue and an assessment of the effect of the communication on the development of proposed rules will be disclosed fully in the public docket. Only tasks assigned by the FAA will be undertaken. Neither the committee nor any of its subgroups may assign a task without prior approval by the FAA.

6. ORGANIZATION.

a. The Aviation Rulemaking Advisory Committee consists of approximately 73 member organizations selected by the FAA as most representative of the various viewpoints of those impacted by FAA regulations. The organizations provide a membership fairly balanced in terms of points of view of those represented and the functions to be performed by the committee. These organizations are:

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| 1. AECMA | 36. Flight Dispatchers, Meteorologists, & Operations Specialists Union |
| 2. Aeronautical Repair Station Association | 37. General Aviation Manufacturers Association |
| 3. Aerospace Industries Association of America, Inc. | 38. Helicopter Association International |
| 4. Aerospace Industries Association of Canada | 39. Independent Pilots Association |
| 5. Aerospace Medical Association | 40. International Airline Passengers Association |
| 6. Air Line Pilots Association | 41. International Association of Fire Chiefs |
| 7. Air Traffic Control Association | 42. International Association of Fire Fighters |
| 8. Air Transport Association of America | 43. International Association of Machinists and Aerospace Workers |
| 9. Airbus | 44. International Society of Aviation Maintenance Professionals |
| 10. Aircraft Electronics Association | 45. Joint Aviation Authorities Secretariat |
| 11. Aircraft Owners and Pilots Association | 46. Light Aircraft Manufacturers Association |
| 12. Aircraft Rescue and Fire Fighters | 47. National Aeronautic Association |
| 13. Airline Dispatchers Federation | 48. National Air Carrier Association, Inc. |
| 14. Airline Suppliers Association | 49. National Air Disaster Alliance Foundation |
| 15. Airport Consultants Council | 50. National Air Transportation Association, Inc. |
| 16. Airports Council International, N.A. | 51. National Aircraft Finance Association |
| 17. Airport Minority Advisory Council | 52. National Association of Flight Instructors |
| 18. Alaska Air Carriers Association | 53. National Association of State Aviation Officials |
| 19. Allied Pilots Association | 54. National Business Aviation Association, Inc. |
| 20. American Association of Airport Executives | 55. National Fire Protection Association |
| 21. American Helicopter Society | 56. National Organization to Insure a Sound Controlled Environment |
| 22. Association of Air Medical Services | 57. Negro Airmen International |
| 23. Association of European Airlines | 58. Organization of Black Airline Pilots |
| 24. Association of Flight Attendants | 59. Parachute Industry Association |
| 25. Association of Professional Flight Attendants | 60. Popular Rotorcraft Association, Inc. |
| 26. Aviation Consumer Action Project | 61. Pratt & Whitney |
| 27. Aviation Insurance Association | 62. Professional Aviation Maintenance Association |
| 28. Aviation Technician Education Council | 63. Public Citizen |
| 29. Balloon Federation of America | 64. Regional Airline Association |
| 30. Boeing Commercial Airplane Group | |
| 31. Career College Association | |
| 32. Cargo Airline Association | |
| 33. Embraer | |
| 34. Equipment Leasing Association of America | |
| 35. Experimental Aircraft Association | |

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| 65. Small Aircraft Manufacturers Association | 70. United States Parachute Association |
| 66. Teamsters Airline Division | 71. United States Ultralight Association Inc. |
| 67. The Ninety-Nines, Inc. | 72. University Aviation Association |
| 68. The Soaring Society of America, Inc. | 73. Used Aircraft Certification Conformity Committee |
| 69. Tuskegee Airmen, Inc. | |

Members of the committee will be designated by the Associate Administrator for Regulation and Certification, and the chairperson will be designated by the Administrator. The membership may change to accommodate unforeseen circumstances.

b. Transport Canada Aviation will act as a consultant to the Aviation Rulemaking Advisory Committee. If Transport Canada or any member organization holds a minority position on any issue, the position will be included as part of the recommendation or identified in the letter transmitting the recommendation.

c. To ensure that the recommendations of the committee have taken into account the needs of diverse groups served by the Department, membership shall include, to the extent practicable, individuals and/or organizations to represent minorities, women, and persons with disabilities.

d. The Executive Committee provides the overall administrative oversight of the Aviation Rulemaking Advisory Committee. The Executive Committee consists of the chairperson of the committee, who will also chair the Executive Committee; the committee vice chair; the Executive Director of the committee; an assistant chairperson for each of the technical subject areas (presently, air carrier operations, maintenance, occupant safety, general aviation certification and operations, noise, aircraft certification, airport certification, transport airplane and engine, rotorcraft, and training and qualifications); two public interest representatives; a representative from the Office of Aviation Policy and Plans; a representative of the Office of the Chief Counsel; and a representative of the European Joint Aviation Authorities.

7. ADMINISTRATION.

a. The Administrator is the sponsor of the committee. The Director of Rulemaking shall serve as the Executive Director of the committee and is the Designated Federal Official required by the Federal Advisory Committee Act. The Executive Director shall not be a member of the committee. The Executive Director shall ensure that administrative support is provided for the committee.

b. The Executive Director of this committee shall:

(1) Determine, with the approval of the sponsor, when a meeting is required and where it is to be held.

(2) Formulate and approve an agenda for each meeting, which will be approved in advance by the sponsor and published in the Federal Register in accordance with the provisions of paragraph 7e.

(3) Notify all members of the time, place, and agenda for any meeting.

(4) Ensure that a full-time salaried FAA officer or employee is present at all meetings and is authorized to adjourn the meeting whenever doing so would be in the public interest.

(5) Maintain all committee files and records.

c. The committee will meet as often as needed but, at a minimum, address each of the technical subject areas on a quarterly basis. The Executive Committee will meet as necessary, with a minimum of four meetings per year. Approximately 40 meetings are held annually.

d. Minutes must be kept of each advisory committee meeting. The chairperson of the committee must certify that the minutes are accurate. The minutes must include:

(1) The time, date, and place of the meeting.

(2) A list of all attendees at the meeting.

(3) A complete and accurate description of matters discussed and conclusions reached.

(4) Copies of all reports received, issued, or approved by the advisory committee.

(5) A description of public participation, including a list of the members of the public who presented oral or written statements, and an estimate of the number of members of the public who attended the meeting.

e. Timely notice of committee meetings must be published in the Federal Register at least 15 days before the meeting, except in exceptional circumstances, and then the reasons for giving less than 15 days notice must be included in the meeting announcement published in the Federal Register.

8. ESTIMATED COST. The estimated annual operating cost (including pro rata share of salaries of DOT employees) is \$101,500. Approximately .8 employee-years will be required to support the committee. The Office of Rulemaking shall provide staff support for the committee.

9. COMPENSATION. Members of the committee serve without compensation. Transportation and per diem expenses may be paid when necessary and appropriate.

10. PUBLIC PARTICIPATION. Each committee meeting shall be open to the public. Interested persons shall be permitted to attend, appear before, or file statements with the committee. Persons wishing to appear before the committee will have to make prior arrangements to do so. Written materials may be submitted to the committee at any time. Each meeting will be held at a reasonable time, in a place reasonably accessible to the public,

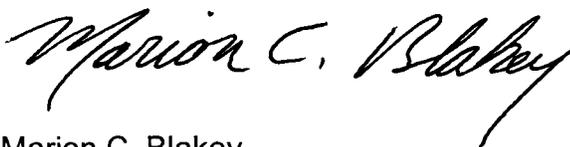
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and in a room large enough to accommodate the committee members, staff, and interested members of the public.

11. AVAILABILITY OF RECORDS. Subject to the conditions of the Freedom of Information Act, 5 U.S.C. § 552, the records, reports, transcripts, minutes, and other documents that are made available to, or prepared for or by, the committee will be available for public inspection and copying at the Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591. Fees will be charged for information furnished to the public in accordance with the fee schedule published in Part 7 of Title 49, Code of Federal Regulations.

12. PUBLIC INTEREST. The formation and use of the Aviation Rulemaking Advisory Committee are determined to be in the public interest in connection with the performance of duties imposed on FAA by law.

13. EFFECTIVE DATE. This committee is effective April 7, 2004, which is the filing date of this charter. The committee will remain in existence for 2 years after this date unless terminated or renewed sooner.



Marion C. Blakey
Administrator