

### III. Responsibilities

A. **ATSRAC Chair.** (Non FAA) The Chair is appointed by the FAA for a two-year term and is responsible for the general oversight of the activities of ATSRAC to include: (1) Presiding at meetings of ATSRAC, and providing meeting agendas two weeks prior to those meetings.

(2) Maintaining liaison with ATSRAC members and their organizations to ensure recognition of the ATSRAC role in aviation rulemaking and to enhance its effectiveness.

(3) Assessing FAA policies pertaining to membership and the ATSRAC work program and proposing changes for consideration by the FAA. These are accomplished in cooperation with the Executive Director.

(4) Certifying the accuracy of ATSRAC meeting minutes.

(5) Establishing appropriate working groups.

(6) In coordination with the Executive Directory, appoints chairs of working groups.

(7) In coordination with the Executive Director and the Working Group chair, appoints working group members.

(8) Ensures that working groups are balanced in membership.

(9) Monitors the progress of working groups.

(10) Requests legal, economist, and drafting assistance from the Office of Rulemaking.

(11) Conducts in-depth reviews of working group reports.

(12) Reviews proposed rulemaking recommendations to determine whether harmonization has been maximized.

(13) Transmits recommendations to the FAA.

B. **ATSRAC Vice Chair.** (Non FAA) The Vice Chair is appointed by the FAA for a one-year term. The Vice Chair:

(1) Assists in maintaining liaison with the ATSRAC members and their organizations to ensure recognition of the ATSRAC role in aviation rulemaking and to enhance its effectiveness.

(2) In cooperation with the chair and the Executive Director, assesses FAA policies pertaining to membership and the ATSRAC work program and, as necessary, proposes changes for consideration by the FAA.

(3) Assists the Executive Directory in management of ATSRAC working groups.

(4) Assumes all responsibilities of the Chair, in the absence of the Chair.

C. **Executive Director.** (FAA) The Executive Director is an employee of the FAA's Regulation and Certification organization and is the sole FAA spokesperson to ATSRAC. The Executive Director:

(1) Supervises the affairs of ATSRAC in conformity with established procedures.

(2) Serves as the FAA's spokesperson for ATSRAC activity.

(3) Acts as the Designated Federal Official (DFO).

(4) Serves as the focal point for all communications between ATSRAC and the FAA.

(5) Ensures that each task is properly coordinated before it is presented to ATSRAC.

(6) Establishes FAA guidance and policies pertaining to ATSRAC, including membership and procedural guidelines.

(7) Works with the ATSRAC Chair to select working group chairs.

(8) Works with the ATSRAC Chair and Working Group Chairs to select working group members.

(9) Ensures availability of formal legal and economist support when requested by the ATSRAC Chair.

(10) Manages the finances of ATSRAC in accordance with the approved Department of Transportation ceiling, including supervision over the preparation of the annual budget and periodic reports of its affairs.

D. **ATSRAC Members**. (Non FAA) The ATSRAC members include all of the organizations contained in Appendix A. ATSRAC members' responsibilities include:

- (1) Ensuring availability to attend periodic ATSRAC meetings.
- (2) Contributing their respective aviation knowledge and expertise to the tasks accepted by ATSRAC.
- (3) Advising the FAA on matters of importance to the aviation industry and aviation association constituency.

E. **Working Group Chair**. (Non FAA) The Working Group Chair is appointed by the ATSRAC Chair and Executive Director and is responsible for ensuring a balance of technical diversity within the working group, and for ensuring consideration of all technical viewpoints in accomplishing the task. The Working Group Chair:

- (1) Works with the ATSRAC Chair and Executive Director to select working group members. Defines requisite skills and experience for working group members.
- (2) Works with the ATSRAC Chair and Executive Director to secure and maintain a balanced working group membership that will materially contribute to the final product and team success. The Working Group Chair may expand or contract the working group as necessary to attain final product and team success. This includes removal of inactive, nonparticipative or disruptive members.
- (3) Establishes task groups, as appropriate, to accomplish a subtask.
- (4) Is a voting member of the working group unless another representative of the chair's organization represents that organization as its voting member.
- (5) Ensures that all working group members have a clear understanding of the FAA task assignment and schedule completion date.
- (6) Enforces the ground rules adopted by the working group.
- (7) Considers all background material relevant to the task, including unresolved petitions for rulemaking and exemption. Petitions submitted to the FAA after the working group has begun its deliberations need not be addressed in the final recommendation.

(8) Ensures that notes are taken, motions voted and recorded, and all decisions/consensus documented at each meeting.

(9) Establishes and maintains an optimum group size to provide expertise and industry interest necessary to the achievement of informed consensus, promotes collaboration, considers all elements contributed by participants, ensures each suggestion receives full consideration by the working group, combines all constructive suggestions/ideas to reach a positive, useful outcome or decision, and resolves conflict.

(10) Calls meetings of the working group and endeavors to balance meeting locations in order to minimize participant costs and to schedule tentative meeting dates in advance to reduce work conflicts and maximize participation.

(11) Ensures that working group meetings requiring attendance by the economist and/or attorney are held within the 48 contiguous United States.

(12) Advises the Office of Rulemaking of any meetings to be included in the ATSRAC calendar of meetings.

(13) Compiles agenda items and distributes them to each working group member well in advance of working group meetings.

(14) Develops, with working group consensus, a work plan for presentation to ATSRAC.

(15) Ensures via the FAA Representative that the economist and the attorney on the FAA internal team have concurred with the work plan.

(16) Briefs ATSRAC on the work plan and obtains ATSRAC approval.

(17) Develops, with working group consensus, a concept paper/briefing for presentation to ATSRAC.

(18) Ensures via the FAA Representative that the economist and the attorney on the FAA internal team have concurred with the concept paper/briefing.

(19) Briefs ATSRAC on the concept and obtains ATSRAC approval.

(20) Once the work plan and concept have been approved by ATSRAC, leads the working group toward technical agreement on recommendations. The product should be a report to the FAA on the recommendations of the group.

(21) At the appropriate stage in deliberations, requests the ATSRAC Chair to arrange for regulatory drafting support, if appropriate.

(22) At each ATSRAC meeting, reports progress, decisions reached, follow-on actions, schedule, and issues remaining to be resolved. Any written status report should be transmitted to the ATSRAC Chair at least three (3) weeks prior to the ATSRAC meeting if the report is to be distributed to ATSRAC members.

(23) Coordinates with other working group chairs to ensure there is no duplication of efforts or conflict of concepts.

(24) Ensures progress toward consensus is being achieved.

(25) Ensures consistency between documents prepared for ATSRAC recommendation to the FAA and corresponding documents prepared for the JAA.

(26) If a legal or economic issue arises during deliberation, obtains informal legal or economic advice through the FAA Representative.

(27) Ensures the report to the FAA is drafted.

**F. Working Group Members.** (Non FAA) Working group members are volunteers appointed by the ATSRAC Chair, the Executive director, and the Working Group Chair. They include a diverse and balanced representation with specific technical knowledge of the working group issues and are capable of providing a thorough technical investigation of the issues in the completion of the assigned task. When appropriate and with the approval of the Working Group Chair, working group members may invite persons other than working group members to speak directly to a working group and participate in its discussions. However, these invited persons are not members of the working group and have no voting rights. Working group members' responsibilities include:

(1) Ensuring availability to attend periodic working group meetings.

(2) Contributing their respective aviation knowledge and expertise to the task(s) assigned to the work group.

(3) Taking an active part in representing the public interest in making contributions to the rulemaking process.

(4) Coordinating with constituents to gain their input early in the process.

(5) Harmonization participants on the working group are responsible for ensuring that the international interests/concerns are made known to the working group.

**G. FAA Representative to the Working Group (FAA)** The FAA Representative is a member of the FAA staff who serves as the liaison between the working group and the FAA, to ensure the FAA's technical-level interest/concerns are made known to the working group. As a member of the working group, the FAA Representative actively participates with the group contributing professional advice based on experience. The FAA Representative is expected to participate as if working on an FAA project; accordingly, the representative must express to the working group the same concerns he or she would have in developing an FAA action. A working group has only one "FAA Representative." Although other FAA employees may contribute to the deliberations of a working group, these contributions must be made through the FAA Representative. When appropriate and with the approval of the Working Group Chair, other FAA employees may be invited by the FAA Representative to speak directly to a working group and participate in its discussions. However, these other FAA employees are not members of the working group and have no voting rights. Specifically, the FAA Representative:

(1) Serves as the leader of the FAA internal team responsible for the task assigned to the working group.

(2) Provides a copy of the agenda for each working group meeting to the FAA internal team members prior to the meeting.

(3) Following each working group meeting, prepares a trip or meeting report and provides a copy of the report to the FAA internal team members and FAA management, as appropriate, and to the ARM Regulations Analyst. The report should include working group progress and activities, a summary of the issues that were raised, how those issues were resolved, and what issues need further discussion. The report should be completed within 2 weeks of the working group meeting.

(4) Provides to the working group all background material relevant to the task, including unresolved petitions for rulemaking and exemption.

(5) Participates fully in the discussions, deliberations, and negotiations of the working group to an extent that allows the FAA to be considered a part of any working group consensus that leads to an ATSRAC recommendation. The FAA Representative may vote as a full member of the working group on any issue put to a vote.

(6) Provides the FAA position to the working group. The FAA Representative should be mindful that he or she cannot commit the FAA to a specific course of action because there will be a further management review of the documents once they are submitted to the FAA as formal recommendations.

(7) Ensures that if he or she holds a minority position, that position is accurately presented to ATSRAC through the Executive Director.

(8) Serves as the focal point between the working group and other FAA elements.

(9) Coordinates with directorates and other FAA organizations to gain their input early in the developmental process. To ensure timely input to the working group, this coordination should take place when the working group is making its technical decisions.

(10) Provides a copy of the working group's work plan and concept paper/briefing to the FAA internal team members no later than two (2) weeks before they are presented to ATSRAC for approval.

(11) If the working group chooses to ignore FAA suggestions concerning the format or content of proposed recommendations, brings the matter to the attention of the Executive Director for resolution with the ATSRAC Chair.

(12) Invites the assigned FAA internal team attorney and economist to ATSRAC meetings at which the working group briefs ATSRAC on its work plan and conceptual approach.

(13) Keeps the working group members informed of FAA opinions, concerns, and objections to working group activities.

(14) Cannot stop or veto a working group activity. He or she does not have the authority to concur with an action on behalf of the FAA.

(15) Once the working group begins drafting, provides copies of all drafts to the FAA internal team members when they become available.

(16) Relays concerns raised by the attorney or economist to the Working Group Chair, who determines the next working group action.

(17) Coordinates closely with the working group JAA representative on harmonization tasks to ensure that harmonization is achieved.

(18) Presents all principals' briefings to FAA management.

H. **FAA Internal Team.** (FAA) An internal team is established for each ATSRAC working group to support the FAA Representative. The function of this team is support to the FAA Representative during the working group's development of a report giving their recommendation. Upon receipt by the FAA of a report recommending specific action, the internal team will carry out that action. The FAA internal team is composed of, as a minimum, an attorney, an economist, and a regulations analyst from the Office of Rulemaking or a technical writer/editor from the concerned directorate. Other offices with an interest in the task of the working group also may participate on the FAA internal team. FAA internal team members are responsible for keeping the FAA Representative informed of any opinions, concerns, and objections they might have on the working group's activities. FAA internal team members may not attend any working group meetings unless invited by the FAA Representative and their attendance has been approved by the Working Group chair. The following are members of the FAA internal team with their respective responsibilities:

(1) **Regulations Analyst.** (FAA) Technical writing/editing for ATSRAC activities is provided by the Office of Rulemaking through the assignment of a regulations analyst. As required, ARM may additionally procure technical writing/editing support from contractors. The regulations analyst provides the following services to the FAA internal team, working group, and ATSRAC:

- a. Prepares all *Federal Register* announcements of ATSRAC meetings that address specific issues and notices that announce the assignment of new tasks and working groups.
- b. Maintains a current working group membership list, including the name, address, and telephone number of each participant.
- c. Coordinates the formulation of the FAA internal team.
- d. Attends FAA internal team meetings.
- e. Ensures appropriate tracking of the working group packages.
- f. Provides technical writing assistance to the working groups in the preparation of regulatory/advisory material.
- g. Attends working group meetings as necessary.
- h. Provides group facilitation services to the working group when requested by the Chair.

- i. Provides information to maintain the bulletin board and calendar.
- j. Prepares and coordinate statements of work for contractor support if required.
- k. Manages the drafting support contract.
- l. Oversees drafting contractor to ensure product quality.
- m. Attends ATSRAC meetings and prepares minutes resulting from those meetings.
- n. Provides meeting logistics (at FAA Headquarters).
- o. Ensures meeting notes are published.
- p. Prepares letter acknowledging receipt of ATSRAC recommendations.
- q. Ensures that drafting, legal, and economist support are made available when requested by the ATSRAC Chair.
- r. Advises the ATSRAC Chair and the working group of delays or changes in the schedules for drafting, legal, or economist support.
- s. Advises the FAA Representative regarding any problems or concerns with the content or format of proposed recommendations.
- t. Prepares a monthly status report of recommendations.

(2) **Directorate Technical Writer/Editor.** (FAA) For those ATSRAC tasks involving technical expertise at the directorate level (outside of FAA Headquarters), a directorate writer/editor is assigned as a member of the FAA internal team and provides support, similar to that provided by the Regulation Analyst at FAA Headquarters, as listed below:

- a. Attends FAA internal team meetings.
- b. Provides technical writing/editing assistance to the working groups in the preparation of their reports.
- c. Attends working group meetings as requested.

d. Attends ATSRAC meetings as requested and assists in the preparation of minutes resulting from those meetings.

e. Provides meeting logistics as requested.

f. Provides advice and recommendations to the FAA Representative concerning document form and content.

(3) **FAA Internal Team Economist.** (FAA) The Office of Aviation Policy and Plans assigns an economist to provide the following support:

a. Reviews the working group's technical concept before submission to ATSRAC to ensure economic considerations are included.

b. Ensures that an economic evaluation and analysis is considered for all recommendations.

c. Provides advice on the economic consequences of alternative actions being considered by a working group.

d. Provides the Office of Rulemaking with a copy of all economic comments and concerns.

e. Provides a copy of the economic evaluation to the Office of Rulemaking.

f. Serves on the FAA internal team responsible for the task assigned to the working group.

g. In any situation where economist services are requested on an activity where ATSRAC support is doubtful, works with the FAA Representative to ensure that ATSRAC supports the working group activity before these economist services are provided.

(4) **FAA Internal Team Attorney.** (FAA) The Office of the Chief Counsel or in the case of the directorates the Regional Counsel assigns an attorney to provide the following support:

a. Serve on the FAA internal team responsible for the task assigned to the working group.

b. Review the working group's work plan before submission to ATSRAC.

c. Review the working group's technical concept before submission to ATSRAC.

d. Review draft recommendations to determine whether the proposed recommendations are consistent with other regulations.

e. Provide counsel to the FAA Representative concerning the legal pros and cons of options being considered by the working group. Consult with Office of the Chief Counsel management, as appropriate, to ensure that a unified agency legal position is presented.

f. Meet with the FAA Representative to identify legal concerns that should be addressed in the working group's documents.

g. When invited to a working group meeting to explain his or her concerns, work with the working group to achieve a resolution. The attorney represents the FAA--not the working group--and may explain legal issues to the working group, but may not give legal advice to the working group.

h. If the working group cannot develop a recommendation that resolves the attorney's concerns, consult with Office of the Chief Counsel management, as appropriate, to ensure that a unified agency legal position is presented and then advise the FAA Representative that the FAA might not accept the working group's recommendations, explaining the reasons for this position.

i. Provide ARM with a copy of all legal comments and concerns.

**I. Office of Primary Interest (OPI).** (FAA) The OPI is the office that requested that a specific subject matter be addressed. For ATSRAC, this office is the Transport Airplane Directorate. The OPI is responsible for:

(1) Assigning the FAA Representative for each working group under its area of responsibility.

(2) Developing and documenting proposed tasks.

(3) Mailing materials to ATSRAC and working group members, as appropriate.

**J. Office of Rulemaking.** (FAA) The Office of Rulemaking is responsible for:

(1) Preparing and distributing Executive Committee and ATSRAC meeting minutes.

(2) Coordinating proposed tasks with the legal office and the Office of Aviation Policy and Plans.

(3) Publishing all *Federal Register* announcements of ATSRAC meetings, Executive Committee meetings, and ATSRAC meetings that address specific issues and notices that announce the assignment of new tasks and formation of working groups.

(4) Maintaining a data base list, including the name, address, and telephone number of each participant.

(5) Mailing materials to ATSRAC members and ATSRAC Executive Committee members.

(6) Providing to the Executive Committee regular reports on the status of ATSRAC recommendations.

(7) Maintaining the official files and records of all ATSRAC activities.

## A. PRE-ATSRAC PHASE

