

# Overview of the FAA Rulemaking Process



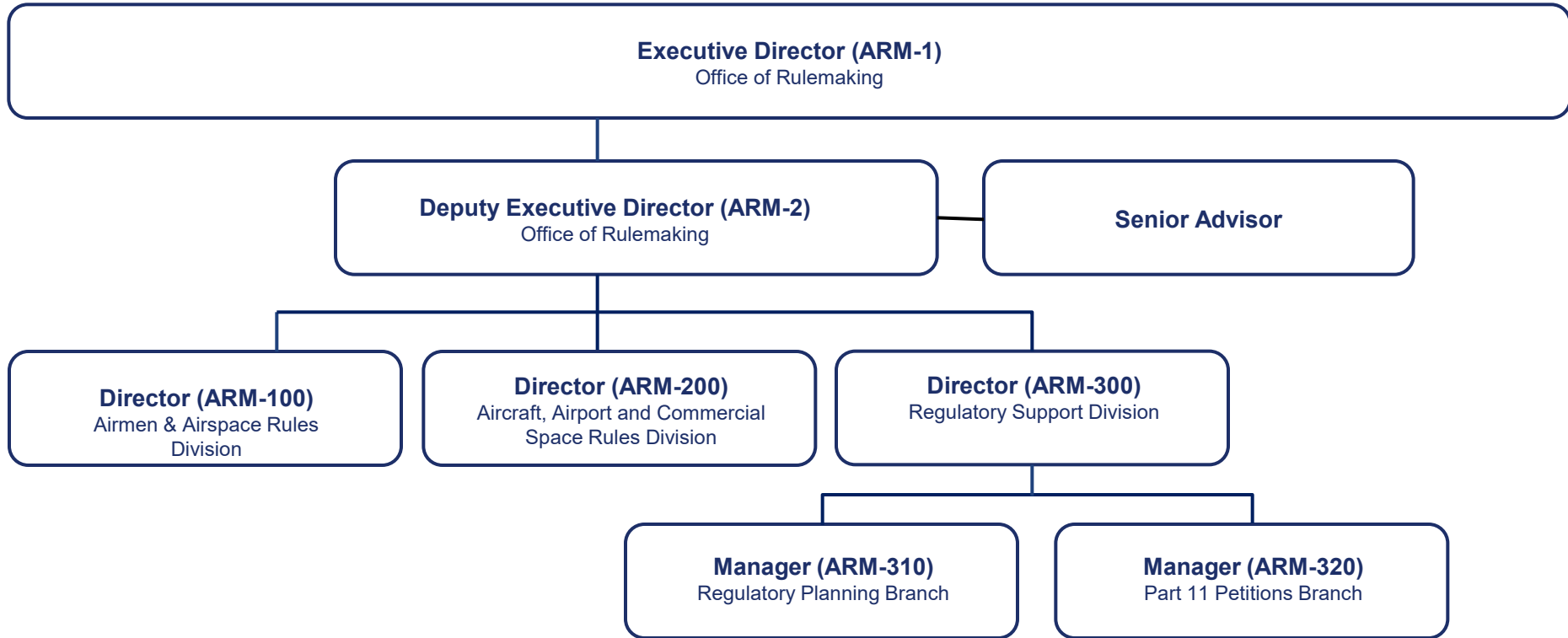
Federal Aviation  
Administration





# ARM

# Office of Rulemaking



# Why Rulemaking?

- Laws passed by the U.S. Congress
- Executive Orders/Administration Priorities
- Recommendations from Accident Investigations
- New Aviation/Avionics Technologies
- Emerging Risks
- Committee Recommendations
- International Cooperation
- Part 11 Petitions for Rulemaking & Exemptions

# The Rulemaking Team

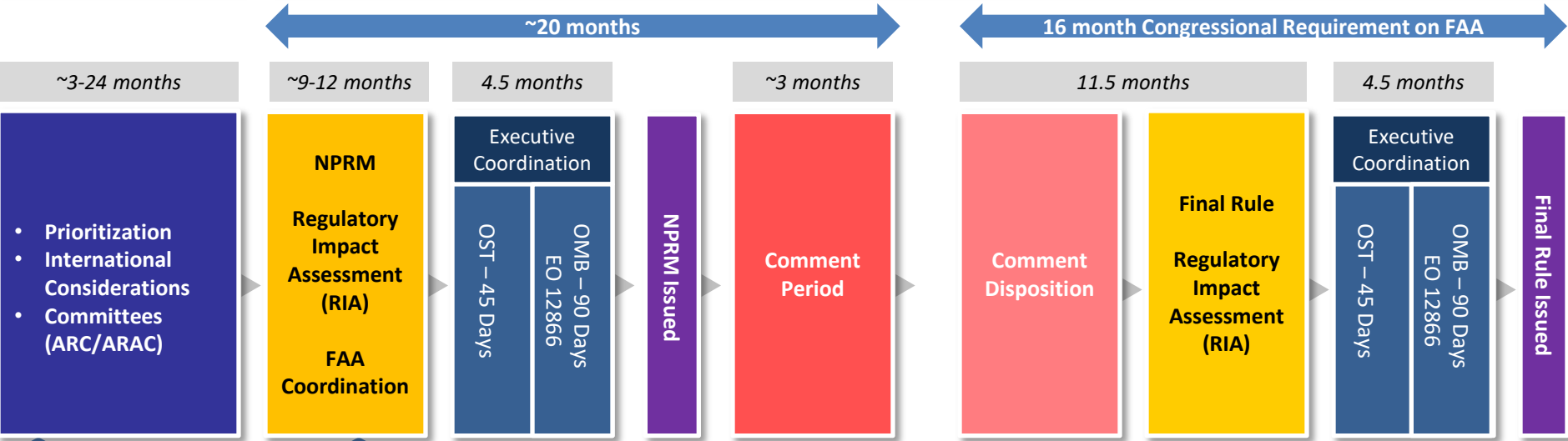
- **Technical Expert**
  - From the Office of Primary Responsibility (OPR)
  - Evaluates existing or proposed regulations
  - Serves as team leader
- **Rulemaking Analyst**
  - Ensures documents are clear, and adequately explains need for rulemaking
  - Facilitates team meetings and manages project
- **Attorney**
  - Provides legal perspective and analysis
- **Economist**
  - Provides the cost and benefit analysis for the rulemaking action
  - Develops formal economic assessments for the preamble of the rulemaking documents

# FAA Rulemaking Process

**Administrative Procedures Act**  
governs regulatory process for all agencies

## Pre-Rulemaking Activities

## Optimal Rulemaking Timeline – 36 months



### Drivers for Pre-Rulemaking

- Congressional Mandates
- Executive Orders/ Administration Priorities
- Committee or NTSB Recommendations
- Emerging Risk
- New Technologies
- International Cooperation
- Part 11 Petitions

\*LOB/SME Evaluates Options and Scope

### Requirements for Consideration for NPRM & Regulatory Evaluation

- TRADE Agreement Act
- Small Business Regulatory Enforcement Fairness Act
- Regulatory Flexibility Act
- Unfunded Mandate Reform Act
- Paperwork Reduction Act
- National Environmental Policy Act
- Trade Agreements Act
- OMB Circular A-4
- EO 13132 – Federalism
- EO 13211 – Energy Supply, Distribution or Use
- EO 14192 – Unleashing Prosperity Through Deregulation

\*\*Rulemaking team: LOB/SME (ARM, APO, AGC) Draft Rule (Reg Text) & RIA (Economic Impact)

### Responsibility Matrix

- \* At Pre-Rulemaking stage, the LOB/SME evaluates options and scope of the Rule
- \*\* At NPRM stage, the Rulemaking Team drafts the Rule and RIA



**Federal Aviation Administration**