



Aviation Rulemaking Advisory Committee Task Notice December 13, 2024

ACTION: Notice of a new task assignment for the Aviation Rulemaking Advisory Committee (ARAC) and solicitation of members.

SUMMARY: The Federal Aviation Administration (FAA) assigned ARAC a new task to enhance the processes for authorizing aircraft for service in commuter and on-demand operations. Certificate holders operating in accordance with Title 14 Code of Federal Regulations (CFR) part 135 must perform an aircraft conformity inspection prior to entering an aircraft into service. This notice informs the public of the new ARAC activity and solicits membership for the new Part 135 Aircraft Conformity Working Group (Part 135 ACWG).

BACKGROUND: ARAC is governed by the Federal Advisory Committee Act (Title 5 U.S.C. §§ 1001). The FAA established the ARAC to provide information, advice, and recommendations on aviation related issues that could result in rulemaking to the FAA Administrator, through the Associate Administrator of Aviation Safety.

On May 16, 2024, the President signed FAA Reauthorization Act of 2014, Public Law (Pub. L.) 118-63. Section (Sec.) 819 of Pub. L. 118-63 requires the FAA Administrator to establish the Part 135 ACWG to *study methods and make recommendations to clarify requirements and standardize the process for conducting and completing aircraft conformity processes in a timely manner for existing operators and air carriers operating aircraft under part 135 and entering such aircraft into service.*

On December 12, 2024, the FAA assigned this task to ARAC, which ARAC designated to the newly established Part 135 ACWG.

THE TASK: The Part 135 ACWG will provide advice and recommendations to the ARAC on the most effective ways to streamline and provide consistency to the aircraft conformity process. The Part 135 ACWG should review any relevant materials to assist in achieving their objective.

1. As directed in Sec. 819 of Pub. L. 118-63, the Part 135 ACWG shall consider all aspects of the FAA processes, such as FAA Order 8900.1, for ensuring aircraft conformity and make recommendations to enhance such processes with respect to:
 - a. Methodologies for air carriers and operators to document and attest to aircraft conformity in accordance with the requirements of part 135;
 - b. Streamlined protocols for operators and air carriers operating aircraft under part 135 to add an aircraft that was listed on another part 135 certificate immediately prior to moving to a new air carrier or operator; and

- c. Changes to FAA policy and documentation necessary to implement the recommendations of the Working Group.
2. Develop a report containing recommendations on the findings and results of the tasks explained above.
 - a. The recommendation report should document both majority and dissenting positions on the findings and the rationale for each position.
 - b. Any disagreements should be documented, including the rationale for each position and the reasons for the disagreement.

SCHEDULE: The recommendation report should be submitted to the FAA no later than 12 months from the first working group's meeting.

WORKING GROUP ACTIVITY: The working group must comply with the procedures adopted by the ARAC and as follows:

1. Conduct a review and analysis of the assigned tasks and any other related materials or documents.
2. Draft and submit a work plan for completion of the task, including the rationale supporting such a plan, for consideration by the Part 135 ACWG.
3. Provide a Part 135 ACWG status report at each ARAC public meeting.
4. Draft and submit the recommendation report based on the review and analysis of the assigned tasks.
5. Present the recommendation report at the ARAC meeting.

PARTICIPATION IN THE WORKING GROUP: The Part 135 ACWG will be comprised of technical experts having an interest in the assigned task. A working group member need not be a member representative of ARAC. As directed by Sec. 819 of Pub. L. 118-63, the Part 135 ACWG shall be comprised of the following:

1. Representatives of the FAA.
2. Existing operators and air carriers operating aircraft under part 135.
3. Associations or trade groups representing such operators or air carriers.
4. Labor groups representing employees of air carriers operating under part 135 (as appropriate).

The provisions of the August 13, 2014, Office of Management and Budget guidance, "Revised Guidance on Appointment of Lobbyists to Federal Advisory Committees, Boards, and Commissions" (79 FR 47482), continues the ban on registered lobbyists participating on Agency Boards and Commissions if participating in their "individual capacity." The revised guidance now allows registered lobbyists to participate on Agency Boards and Commissions in a "representative capacity" for the "express purpose of providing a committee with the views of a nongovernmental entity, a recognizable group of persons or nongovernmental entities (an industry, sector, labor unions, or environmental groups, etc.) or state or local government." (For

further information see Lobbying Disclosure Act of 1995 (LDA) as amended, 2 U.S.C 1603, 1604, and 1605.)

NOMINATION PROCESS: Candidates are required to submit, in full, the following materials to be considered for membership. Failure to submit the required information may disqualify a candidate from the review process.

1. A résumé or curriculum vitae with the candidate's full name and home address (no P.O. Box).
2. A brief biography
3. A statement describing the candidate's interest in the task and the expertise the candidate would bring to the working group.
4. A statement describing the industry in which they would represent.

Nominations must be submitted electronically (by E-mail) to Ken Thomas at kenneth.c.thomas@faa.gov. The subject line should state "Part 135 Aircraft Conformity Working Group Nomination." The FAA must receive all requests by 5:00 pm Eastern Time, on Friday, January 17, 2025. The FAA will review the requests and advise you whether your request is approved.

The FAA reserves the discretion to appoint members to serve on the working group who were not nominated in response to this notice if necessary to meet Departmental needs in a manner to ensure an appropriate balance of membership.

Roles and Responsibilities

If you are chosen for membership on the working group, you must actively participate in the working group, attend all meetings, and provide written comments when requested. You must devote the resources necessary to support the working group in meeting any assigned deadlines. You must keep your management and those you may represent advised of working group activities and decisions to ensure the proposed technical solutions do not conflict with the position of those you represent. Once the working group has begun deliberations, members will not be added or substituted without the approval of the ARAC Chair.

Confidential Information

All final work products submitted to the ARAC are public documents. Therefore, it should not contain any nonpublic proprietary, privileged, business, commercial, and other sensitive information (collectively, Confidential Information) that the working group members would not want to be publicly available. With respect to working groups, there may be instances where members will share Commercial Information within the working group for purposes of completing an assigned task. Members must not disclose to any third party or use for any purposes other than the assigned task, any and all Confidential Information disclosed to one party by the other party, without the prior written consent of the party whose Confidential information is being disclosed. All parties must treat the Confidential Information of the disclosing party as it would treat its own Confidential Information, but in no event shall it use

less than a reasonable degree of care. If any Confidential Information is shared with the FAA representative on a working and/or task groups, it must be properly marked in accordance with the FAA Committee Manual.

The Secretary of Transportation determined the formation and use of the ARAC is necessary and in the public interest in connection with the performance of duties imposed on the FAA by law.

The ARAC meetings are open to the public. However, working group meetings are not open to the public, except to the extent individuals with an interest and expertise are selected to participate. The FAA will make no public announcement of working group meetings.

FOR FURTHER INFORMATION CONTACT: Jim Anderson, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591. Telephone 503.906.0875; Email: jim.anderson@faa.gov.