

Dated: February 21, 2012.

Samuel Podberesky,

Assistant General Counsel for Aviation Enforcement and Proceedings.

[FR Doc. 2012-4546 Filed 2-24-12; 8:45 am]

BILLING CODE 4910-9X-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Executive Committee of the Aviation Rulemaking Advisory Committee; Meeting

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of meeting.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of the Executive Committee of the Aviation Rulemaking Advisory Committee.

DATES: The meeting will be held on March 29, 2012, at 1 p.m.

ADDRESSES: The meeting will take place at the Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591, 10th floor, MacCracken Room.

FOR FURTHER INFORMATION CONTACT: Renee Butner, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591, telephone (202) 267-5093; fax (202) 267-5075; email Renee.Butner@faa.gov.

SUPPLEMENTARY INFORMATION: Under section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. 2), we are giving notice of a meeting of the Executive Committee of the Aviation Rulemaking Advisory Committee taking place on March 29, 2012, at the Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591. The Agenda includes:

1. Commercial Air Tour Voluntary Accreditation Program Working Group.

2. ARAC restructure:

- a. Draft charter and bylaws.

- b. Committee Manual revision—

Process Improvement Working Group (PIWG) recommendations.

3. Status Report from FAA on Rulemaking Prioritization Working Group (RPWG) recommendations.

4. Status Reports from Assistant Chairs.

5. Remarks from other EXCOM members.

Attendance is open to the interested public but limited to the space available. The FAA will arrange teleconference service for individuals wishing to join in by teleconference if we receive notice by March 20. Arrangements to participate by

teleconference can be made by contacting the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Callers outside the Washington metropolitan area are responsible for paying long-distance charges.

The public must arrange by March 20 to present oral statements at the meeting. The public may present written statements to the executive committee by providing 25 copies to the Executive Director, or by bringing the copies to the meeting.

If you are in need of assistance or require a reasonable accommodation for this meeting, please contact the person listed under the heading **FOR FURTHER INFORMATION CONTACT**.

Issued in Washington, DC, on February 17, 2012.

Pamela A. Hamilton-Powell,

Executive Director, Aviation Rulemaking Advisory Committee.

[FR Doc. 2012-4539 Filed 2-24-12; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[FTA Docket No. FTA-2012-0016]

Notice of Request for the Extension of a Currently Approved Information Collection

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice of Request for Comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the intention of the Federal Transit Administration (FTA) to request the Office of Management and Budget (OMB) to approve the following information collection: Transit Safety Survey.

DATES: Comments must be submitted before April 27, 2012.

ADDRESSES: To ensure that your comments are not entered more than once into the docket, submit comments identified by the docket number by only one of the following methods:

1. **Web site:** www.regulations.gov. Follow the instructions for submitting comments on the U.S. Government electronic docket site. (**Note:** The U.S. Department of Transportation's (DOT's) electronic docket is no longer accepting electronic comments.) All electronic submissions must be made to the U.S. Government electronic docket site at www.regulations.gov. Commenters should follow the directions below for mailed and hand-delivered comments.

2. **Fax:** 202-366-7951.

3. **Mail:** U.S. Department of Transportation, 1200 New Jersey Avenue SE., Docket Operations, M-30, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001.

4. **Hand Delivery:** U.S. Department of Transportation, 1200 New Jersey Avenue SE., Docket Operations, M-30, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001 between 9 a.m. and 5 p.m., Monday through Friday, except federal holidays.

Instructions: You must include the agency name and docket number for this notice at the beginning of your comments. Submit two copies of your comments if you submit them by mail. For confirmation that FTA has received your comments, include a self-addressed stamped postcard. Note that all comments received, including any personal information, will be posted and will be available to Internet users, without change, to www.regulations.gov. You may review DOT's complete Privacy Act Statement in the **Federal Register** published April 11, 2000, (65 FR 19477), or you may visit www.regulations.gov.

Docket: For access to the docket to read background documents and comments received, go to www.regulations.gov at any time. Background documents and comments received may also be viewed at the U.S. Department of Transportation, 1200 New Jersey Avenue SE., Docket Operations, M-30, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001 between 9 a.m. and 5 p.m., Monday through Friday, except federal holidays.

FOR FURTHER INFORMATION CONTACT: Roy Chen, FTA Office of Technology, (202) 366-0462, or email: royweishun.chen@dot.gov.

SUPPLEMENTARY INFORMATION: Interested parties are invited to send comments regarding any aspect of this information collection, including: (1) The necessity and utility of the information collection for the proper performance of the functions of the FTA; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the collected information; and (4) ways to minimize the collection burden without reducing the quality of the collected information. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection.

Title: Transit Safety Survey (OMB Number: 2132-New).

Background: The survey covered in this request will provide FTA with a

AVIATION RULEMAKING ADVISORY COMMITTEE

EXECUTIVE COMMITTEE

RECORD OF MEETING

MEETING DATE: March 29, 2012

MEETING TIME: 1:00 p.m.

LOCATION: Federal Aviation Administration
800 Independence Avenue, SW.
10th Floor, MacCracken Room
Washington, DC 20591

PUBLIC ANNOUNCEMENT: The Federal Aviation Administration (FAA) told the public of this Aviation Rulemaking Advisory Committee (ARAC) meeting in a Federal Register notice published February 27, 2012 (77 FR 11620).

ATTENDEES: Executive Committee Members

Norman Joseph	Airline Dispatchers Federation, <i>ARAC Chair</i>
Dan Elwell	Aerospace Industries Association (AIA), <i>ARAC Vice Chair</i>
Craig Bolt*	Pratt & Whitney, <i>Transport Airplane and Engine Aeronautical Technical Subject Area, Assistant Chair</i>
Walter Desrosier	General Aviation Manufacturers Association (GAMA), <i>Aircraft Certification Procedures Aeronautical Technical Subject Area, Assistant Chair</i>
Rosemary Dillard	National Air Disaster Alliance Foundation
Michael Doellefeld	Boeing Commercial Airplanes, <i>Occupant Safety Aeronautical Technical Subject Area, Assistant Chair</i>

Bill Edmunds	Air Line Pilots Association (ALPA), <i>Air Carrier Operations Aeronautical Technical Subject Area,</i> <i>Assistant Chair</i>
Pam Hamilton	Federal Aviation Administration, <i>Office of Rulemaking,</i> <i>ARAC Executive Director</i>
Sarah MacLeod*	Aeronautical Repair Station Association (ARSA), <i>Air Carrier/General Aviation Maintenance Aeronautical Technical Subject Area, Assistant Chair</i>
Christopher Oswald	Airports Council International – North America, <i>Airport Certification Aeronautical Technical Subject Area</i>
George Paul	National Air Carrier Association (NACA), <i>Training and Qualifications Aeronautical Technical Subject Area, Assistant Chair</i>
Ric Peri	Aircraft Electronics Association, <i>General Aviation Certification and Operations Aeronautical Technical Subject Area, Assistant Chair</i>
Bob Robeson	Federal Aviation Administration, <i>Office of Aviation Policy and Plans, APO-300</i>

Attendees

Renee Butner	Federal Aviation Administration, <i>Office of Rulemaking, ARM-20</i>
Andrea Copeland	Federal Aviation Administration, <i>Office of Rulemaking, ARM-200</i>
Brenda Courtney	Federal Aviation Administration, <i>Office of Rulemaking, ARM-200</i>
Emily Dziedzic	PAI Consulting
Rolf Greiner*	Airbus

Katie Haley	Federal Aviation Administration, <i>Office of Rulemaking, ARM–200</i>
Heather Harvey	Spirit Airlines
Ida Klepper	Federal Aviation Administration, <i>Office of Rulemaking, ARM–100</i>
Melissa Loughlin	Federal Aviation Administration, <i>Office of Rulemaking, ARM–200</i>
Paul McGraw	Airlines for America
Warren Randolph	Federal Aviation Administration, <i>Office of Accident Investigation and Prevention, AVP–200</i>

*Attended via teleconference

WELCOME AND INTRODUCTION

Mr. Norman Joseph, ARAC Chair, called the meeting to order at 1:04 p.m. and thanked the Executive Committee (EXCOM) members for attending. He asked Ms. Pam Hamilton to read the required Federal Advisory Committee Act (FACA) statement. Mr. Joseph thanked Ms. Hamilton and invited the attendees to introduce themselves. After introductions, Mr. Joseph invited all members to participate in the discussion.

CERTIFICATION OF MINUTES

Mr. Joseph stated the first item on the agenda is to certify the minutes from the December 14, 2011, meeting. With no objections, he certified the minutes.

COMMERCIAL AIR TOUR VOLUNTARY ACCREDITATION PROGRAM WORKING GROUP

Mr. Joseph invited Ms. Hamilton to report on the Commercial Air Tour Voluntary Accreditation Program Working Group. Ms. Hamilton stated the new tasking was discussed at the December 14, 2011, EXCOM meeting and was published in the Federal Register on December 27, 2011. She noted the FAA decided to cancel the tasking because of a lack of volunteers and published the cancellation notice in the Federal Register on February 23, 2012.

Mr. Joseph noted this is an unfortunate occurrence and that finding the appropriate participation for tasks given to the ARAC is a concern. He asked if the EXCOM members had any comments.

Ms. Sarah MacLeod stated it is necessary to examine the resources of the groups targeted for tasks. She noted air tour operators have few resources to send representatives to meetings and may only be able to participate if the meetings took place at their location. Ms. MacLeod noted the trade associations representing air tour operators may not be equipped with manpower or the knowledge to assist.

Mr. Joseph stated this is a valid comment when trying to solicit participation for ARAC tasks. Ms. Hamilton agreed and thanked Ms. MacLeod for her comment.

ARAC RESTRUCTURE

Draft Charter and Bylaws

Mr. Joseph invited Ms. Hamilton to discuss the draft charter and bylaws, which were included in the read-ahead package. Ms. Hamilton stated the FAA received an additional set of comments on the second version of the charter and bylaws. She noted there was one substantive comment and the rest were editorial. Ms. Hamilton asked if anyone had additional comments, as the FAA will review and reconcile them.

Ms. Hamilton stated the FAA is eager to move to the next steps, which are sending the charter to the U.S. Department of Transportation, then to the U.S. General Services Administration (GSA). She noted the current charter expires on September 17, 2012, but the FAA has an internal goal to complete the charter in June 2012.

Ms. Hamilton expressed gratitude for the submitted comments and stated the charter and bylaws are much improved. She noted the charter has existed for a long time and the FAA has been hesitant to make changes. Ms. Hamilton stated the document is cleaner and clearer with the proposed changes.

Mr. Joseph stated he had a few comments on the charter and bylaws, but wanted to invite EXCOM members to offer their comments or suggestions first. Mr. Walt Desrosier asked for clarification in the bylaws about the appointment of the Designated Federal Official (DFO), particularly for the subcommittees.

Ms. MacLeod noted the substantive comment mentioned earlier by Ms. Hamilton also concerned the DFO. She stated her opinion is there is only one DFO for the ARAC. Mr. Desrosier explained the subcommittees would be required to have a DFO because they are subject to the same rules as the ARAC. He noted the charter discusses an FAA Representative and he asked if the FAA Representative is the DFO. Ms. Hamilton stated the FAA Representative would be the DFO.

Ms. MacLeod stated there can be only one DFO under the Federal Advisory Committee Act (FACA). She asserted a public subcommittee meeting does not constitute it as an ARAC meeting and therefore does not require a DFO. A subcommittee is simply a standing working group. Ms. Hamilton stated the FAA will look at this issue and consult with Ms. Rebecca MacPherson in the FAA Office of Chief Counsel.

Mr. Desrosier stated the charter specifies all subcommittees operate under the same rules as the full ARAC. He noted clarification is needed about who serves in the DFO role. Mr. Desrosier asked if the ARAC DFO would name the DFO for the purposes of the subcommittee.

Ms. Hamilton stated there is enough confusion around this issue and she will sort it out with Ms. MacPherson before recirculating excerpts from both the charter and the bylaws to the EXCOM.

Mr. Joseph stated his concern relates to the DFO discussion and inquired about the requirement for a DFO at the working group level. He noted the need to state clearly the legal and FAA requirements for the ARAC, its subcommittees, and its working groups.

Ms. MacLeod stated her final correction was to make all levels uniform. She noted her comments include a suggestion for an FAA Representative on the subcommittees and working groups.

Mr. Joseph asked if the FAA Representative has the responsibilities of the DFO. Ms. MacLeod stated the FAA Representative does not, and explained the DFO is for the ARAC only, because the ARAC operates in accordance with FACA.

Ms. Hamilton stated she was hesitating regarding a DFO for each subcommittee and explained she was the DFO to the Future of Aviation Advisory Committee (FAAC). She noted all five subcommittees under the FAAC had a DFO. Ms. Hamilton stated all DFOs had the same responsibilities in subcommittees, and all subcommittee meetings were public. She confirmed she will confer with Ms. MacPherson.

Ms. MacLeod noted a public subcommittee meeting does not mean the subcommittee is a FACA committee. She stated her basic assumption was the ARAC wanted subcommittees and working groups under it, but only the ARAC can make recommendations to the FAA. Ms. MacLeod asserted if the subcommittees have a DFO, then they would be eligible to make recommendations to the FAA. She stated by adding a DFO to the subcommittees, ARAC will return to the old model. Ms. Hamilton agreed the FAA does not want to return to the old structure.

Mr. Desrosier stated the FAA Representative, who attends subcommittee meetings, is a delegate of the DFO to ensure meetings run in accordance with the applicable requirements. Ms. MacLeod noted the DFO does not have to be at the subcommittee meetings, because the ARAC is responsible for ensuring it runs in the same manner. Mr. Desrosier stated the charter and bylaws currently say otherwise and need review.

Mr. Rolf Greiner stated neither the charter nor the bylaws exclude non-U.S. organizations from being part of the ARAC. He noted AeroSpace and Defence Industries Association of Europe (ASD) was a member of the ARAC in the past, and ASD has entered into discussions and may approach the FAA for membership again. He stated that there is currently no provision in the bylaws for additional members. Ms. Hamilton acknowledged the comment and stated the FAA would consider it.

Mr. Joseph stated there is a provision to entertain new members based on their application. Ms. MacLeod agreed there is nothing in the charter or bylaws prohibiting it, but the FAA will make the final decision regarding membership. Mr. Greiner noted ASD's understanding is similar. Mr. Desrosier asserted the charter states all affected parties could be members of ARAC.

Ms. MacLeod noted she suggested changes to encourage membership by associations, rather than individual companies, but left the options open. She stated if a company is not comfortable with a larger group representing its interests, then it can be an individual member.

Mr. Greiner stated ASD is discussing joining the ARAC to represent its constituent communities, so they do not have to join individually. Ms. MacLeod expressed encouragement for their participation.

Mr. Dan Elwell stated the bylaws currently include a list of member organizations. Ms. MacLeod noted the word "organization" refers to a company such as Boeing. She stated the representative from Boeing would represent Boeing as an entity rather than its segment of that company.

Mr. Elwell stated Aerospace Industries Association (AIA) represents all of its manufacturers, while the General Aviation Manufacturers Association (GAMA) and ASD would represent theirs respectively. He noted there is not complete original equipment manufacturer overlap in those associations. Ms. MacLeod agreed with Mr. Elwell and stated a need exists to focus on the bigger picture at the ARAC level. She noted representatives should think beyond themselves when representing their sector of the industry.

Mr. Elwell stated the list of 24 member organizations in the bylaws is not exclusive or final, so it is possible to add ASD to the list. Ms. MacLeod noted Ms. Peggy Gilligan could approve ASD and add it to the list. She stated the ARAC could support ASD's application, but it cannot make the appointment, only the FAA can. Mr. Desrosier noted, likewise, AIA and GAMA have sought a similar role in the European Aviation Safety Agency (EASA) version of a rulemaking advisory committee.

Ms. Hamilton stated ARAC is required to have a fairly balanced membership. She noted the FAA will consider including organizations if there is an unrepresented segment.

Mr. Ric Peri asked if the list of 24 member organizations listed in section 3 of the bylaws was limited. Mr. Elwell stated the list does not need to lose one organization in order to add another. Ms. MacLeod noted the 24 member organizations are the current members of ARAC.

Ms. Hamilton argued for amending the bylaws to include language supporting the opportunity for expansion. She noted it could read, "ARAC consists of 24–30 member organizations." Ms. MacLeod disagreed and stated there is no limit or prohibition. Ms. Hamilton asserted the way it is written could create a prohibition.

Ms. MacLeod, Mr. Desrosier, Mr. Joseph, and Mr. Bill Edmunds offered alternate text to ensure the bylaws do not limit the membership. Mr. Desrosier noted the membership is at the discretion of the FAA. Mr. Desrosier noted that the bylaws are a living document and can be updated by

the FAA at any time; it is simply a documentation of the current status of the ARAC. Ms. MacLeod stated bylaws are not submitted to DOT, the EXCOM is requesting that the FAA ensure the bylaws list is not limiting.

Mr. Desrosier noted the charter is separate from the bylaws. Ms. Hamilton stated DOT will want to look at both documents, but it is not required to submit the bylaws to GSA. Mr. Desrosier noted the ability to amend or update the bylaws is at the discretion of the FAA. Ms. Hamilton stated the bylaws do not require GSA approval and agreed the member list should not be limiting.

Mr. Chris Oswald asked if it would be appropriate, in the bylaws, to remove “of 24” and state that the ARAC consists of organizations appointed by the FAA Administrator and then list the member organizations. Ms. MacLeod suggested adding wording to state the list of member organizations resides at the Office of Rulemaking. Mr. Peri noted numbers 11, 14, and 22 in the list are not member organizations.

Mr. Mike Doellefeld asked if the charter must point to the bylaws. Ms. MacLeod stated it is not necessary, because the bylaws are voluntary. Mr. Desrosier noted the bylaws would become subject to the same update process if they are included in the charter. Mr. Doellefeld asked if this needs to be stated in the charter. Ms. Hamilton stated it does not. Mr. Joseph agreed and noted if the charter discusses the bylaws, it would incorporate them by reference.

Mr. Joseph asked if anyone had additional comments regarding the charter or bylaws. With no response, Mr. Joseph stated he had a few discussion points. He noted he realizes that costs have gone up, and asked about the increase in staff years and costs from 0.25 to 1.75 staff years and \$50,000 to \$250,000.

Ms. Hamilton noted there is a lot of overhead managing the ARAC and supporting the Transport Airplane and Engine Issue Group (TAEIG) and working groups. She stated the old numbers underrepresented staff support and dollars. Ms. Hamilton noted the need for full disclosure of what is more representative of actual costs. She credited Ms. Renee Butner with completing the analysis.

Mr. Joseph noted the charter states “member representatives shall continue to serve until replaced or removed for cause and alternate members may be appointed as necessary.” He asked who is responsible for making those decisions. Ms. MacLeod stated the person who appointed them, Ms. Gilligan, Associate Administrator for Aviation Safety (AVS-1), is the only one who can remove them, unless a specific standard is set. Mr. Joseph agreed as long as this is a common understanding. Ms. Hamilton agreed and stated in the 21 years ARAC has been in existence no one has been removed. Ms. Brenda Courtney confirmed this fact.

Mr. Joseph stated the transition to the new charter and bylaws allows organizations to be members of ARAC, as opposed to individuals connected with a particular organization or segment of the industry. He asked if it matters who represents the member organization.

Ms. MacLeod stated individuals receive appointments under the member organization in accordance with their ability to serve. Mr. Desrosier cited section 3, paragraph 2 of the bylaws.

He noted the bylaws state a member shall be someone named by AVS-1 as the member of ARAC on behalf of the organization.

Ms. MacLeod stated individuals shall be chosen based on their ability to serve. She noted any person representing an organization must reach out beyond its membership to represent the community.

Mr. Desrosier stated section 6 of the bylaws describes the role of ARAC representatives and their alternates. Mr. Joseph asked about the procedure to appoint those individuals and if the FAA expects organizations to recommend someone to the FAA.

Ms. Hamilton explained that after offering an appointment to the organization, the organization responds to the FAA with individuals capable of representing it. She noted the FAA then sends an appointment letter to the individuals based on the recommendation. Ms. Courtney confirmed this process is correct.

Ms. MacLeod stated the individual must be someone with the authority to make decisions for their entire organization. She noted there is one appointment, but the organization is the member. Mr. Joseph stated he understood and asked if it is the same procedure for the alternate.

Ms. Hamilton agreed and offered the example of National Air Carrier Association (NACA) and explained NACA is the member organization with Mr. George Paul as the primary and Mr. Oakley Brooks as the alternate. She stated NACA received appointment letters for those individuals. Ms. MacLeod noted section 3 of the bylaws describes this process.

Mr. Peri stated the bylaws lack a section discussing the organizations' responsibility to nominate the appropriate person. He noted the bylaws only discuss appointing the appropriate person. Mr. Peri stated he feels a piece is missing. He noted the organization is appointed, then the organization chooses the person, but this is not clear.

Ms. MacLeod stated individuals represent their organizations and AVS-1 appoints them both. Mr. Peri asked who would represent his organization if he was unable to attend. Ms. MacLeod stated AVS-1 would go back to the organization to look for another recommendation. She noted the organization would still be a member, but the individual representative would change. Ms. MacLeod stated the new individual would still need to be appointed by AVS-1, but if the member organization cannot recommend another individual, it would lose its position in the ARAC.

Mr. Joseph stated his goal was to get the ARAC to discuss this topic because there is the potential for new ARAC members soon. Mr. Elwell noted all appointments are up to the discretion of AVS-1 for the organization and its representative. Mr. Desrosier reiterated that organizations nominate individuals and AVS-1 designates them.

Mr. Elwell asked for clarification of section 6, number 2 of the bylaws: "ARAC member representatives, or alternates, are expected to represent the member organization in a manner that ensures its position is incorporated in the advice and recommendations made by the ARAC."

Ms. MacLeod stated if the organization has a dissenting opinion, the individual representative must ensure it is incorporated in the ARAC's recommendations. Ms. MacLeod noted the individual must have the authority within the organization to speak for it. She stated, occasionally, the ARAC has learned an individual did not accurately represent the position of his or her organization.

Mr. Elwell stated the dissenting opinion is not required. Ms. Hamilton noted the intention is to ensure the ARAC's conversations are representative of the organizations' position and each organization is aware of what its representative says at ARAC meetings.

Mr. Joseph asked if anyone had additional thoughts or comments. He stated the EXCOM members have given the FAA appropriate and numerous issues to review. Ms. Hamilton noted the FAA will handle them expeditiously.

Ms. MacLeod thanked the EXCOM members for their time and excused herself from the meeting.

Committee Manual Revision – Process Improvement Working Group (PIWG) Recommendations

Mr. Joseph invited Ms. Hamilton to report on the PIWG recommendations.

Ms. Hamilton stated the FAA is revising the Committee Manual to incorporate the new ARAC structure and include the remaining PIWG recommendations in the next iteration. She noted the draft Manual will be available in the next EXCOM meeting read-ahead package.

Mr. Joseph asked if anyone had any comments or questions.

STATUS REPORT FROM THE FAA ON RULEMAKING PRIORITIZATION WORKING GROUP (RPWG) RECOMMENDATIONS

Mr. Joseph invited Ms. Hamilton to report on the RPWG recommendations.

Ms. Courtney stated Ms. Hamilton asked her to give an update on the RPWG's recommendations. Ms. Courtney noted the FAA reviewed the comments it received in December 2011 and is eager to address the recommendations.

Ms. Courtney noted the working group did a fine job developing and documenting its recommendations. She stated the tools will help prioritize rulemaking projects.

Ms. Courtney stated there have been meetings with FAA upper management and the FAA wants to move ahead to further refine the tools with the help of the RPWG. She noted the first step is to pilot the process, which will test the tools by using supporting data and analysis from recently issued rules. Ms. Courtney stated the FAA wants the RPWG to focus its technical resources on the process rather than conducting analysis, research, and data collection on new issues.

Ms. Courtney emphasized the importance of moving quickly on this phase of the project. She explained the FAA selected five or six rulemaking projects from the aircraft certification area.

Ms. Courtney stated the FAA has identified technical specialists who will help test the tools in this next phase with the RPWG. She noted the FAA wants to assign or reassign the next effort to the RPWG and she believes the original requirements allow for this. Ms. Courtney stated the FAA is prepared to define the RPWG's new task and the task will begin as early as April 2012.

Ms. Courtney asked if anyone had comments or questions. Mr. Joseph asked if Mr. Craig Bolt, RPWG co-chair, was still on the conference call. Mr. Bolt was not available to comment at the time, but did so later in the meeting. Mr. Joseph offered to contact Mr. Bolt and Ms. MacLeod individually to discuss the tasking.

Mr. Desrosier stated the next phase is consistent with the RPWG recommendations. He noted he supports the retasking and expects Mr. Bolt and Ms. MacLeod will as well. Mr. Joseph requested Mr. Desrosier ask Mr. Bolt and Ms. MacLeod to contact Ms. Katie Haley.

Mr. Desrosier asked if the FAA is looking for an affirmative decision from the ARAC. Ms. Courtney answered yes, the FAA would like the results of this tasking to come through the ARAC for approval. Mr. Desrosier then asked if the FAA is seeking ARAC approval for the RPWG retasking. Ms. Hamilton stated it is.

Mr. Edmunds inquired about the timeline for the working group to report to ARAC. Ms. Hamilton stated it is a 3–4 month maximum effort, and Ms. Haley agreed. Ms. Courtney noted the FAA is still trying to implement the recommendations by the end of 2012, thus the need to move quickly with the tasking. Ms. Hamilton stated using finalized rules eliminates the need for the RPWG to spend 6 months collecting data.

Mr. Joseph stated the EXCOM must approve the new tasking, so the existing RPWG can begin testing as defined by the FAA. Mr. Desrosier noted this retasking falls under the previously approved tasking. Ms. Haley stated the timeline falls within the original tasking, but the FAA needs to provide a specific task. Ms. Haley noted the RPWG is open for new tasks until December 2012, but the FAA needs to provide them. Ms. Courtney stated the FAA will clearly define the next steps.

Mr. Joseph asked if anyone had discussion points or objections to the tasking. With no objections, Mr. Joseph stated the task is accepted. Mr. Desrosier noted the RPWG will need to look at the proposed tasking before accepting it. Ms. Hamilton agreed, affirmed the PIWG recommendation for clear taskings, and stated the FAA will provide one for the RPWG retask.

Mr. Elwell stated when the PIWG (meant RPWG) recommendation was made, the FAA confirmed it would conduct the next phase of testing. Ms. Courtney stated, at that time, the FAA had not decided if it would conduct the next test internally. Ms. Hamilton noted she was referring to the PIWG, rather than the RPWG recommendations when she was discussing providing ARAC with clear taskings.

Mr. Peri stated there is little time to deal with the bureaucracy of approvals. Ms. Hamilton noted it is fair to define the new parameters of the tasking and allow the RPWG to decide if it can accept the tasking. Ms. Hamilton stated the FAA will agree to define the task quickly. She noted the FAA will be clear regarding what is supposed to be completed in the next 3–4 months.

Mr. Joseph stated he will leave it to Ms. Courtney and Ms. Haley to talk to Mr. Bolt and Ms. MacLeod. Ms. Courtney noted the FAA will try to correspond electronically, rather than have another EXCOM meeting. Mr. Joseph stated Mr. Bolt and Ms. MacLeod should talk to him if there are problems.

STATUS REPORTS FROM ASSISTANT CHAIRS

Mr. Joseph moved the discussion to reports from the Assistant Chairs.

Air Carrier Operations

Mr. Edmunds stated the FAA withdrew the last remaining task under Air Carrier Operations on February 23, 2012: assign to the All-Weather Operations Harmonization Working Group. He noted the most recent tasking for the working group was in November 2003. Mr. Edmunds stated the working group worked with the International Civil Aviation Organization (ICAO) and other civil aviation authorities in standardizing harmonized systems and processes, such as enhanced flight vision systems. He noted the working group is still busy, but the FAA felt it would be appropriate for it to operate under its own venue because it has an ongoing task. Mr. Edmunds stated the working group will no longer provide to ARAC and is waiting the FAA Administrator's approval and signature establishing an Aviation Rulemaking Committee (ARC).

Ms. Hamilton noted she signed-off on the request, and it now needs signatures from the Office of the Chief Council, AVS-1, and the Administrator. She stated the working group is being established as an ARC because it operates as a closed group, rather than a FACA-based group.

Mr. Edmunds stated with the tasking withdrawal, the Air Carrier Operations Technical Subject Area Issue Group is closed.

Mr. Joseph stated the All-Weather Operations Harmonization Working Group will give a presentation in Atlanta, Georgia at the Integrated Communication, Navigation, and Surveillance Conference in April 2012.

Training Qualifications

Mr. Paul stated there are no updates for Training Qualifications, but noted the FAA is undertaking many rulemakings on training qualifications.

General Aviation Certification and Operations

Mr. Peri stated there are no updates for General Aviation Certification and Operations.

Occupational Safety

Mr. Doellefeld stated there are no updates for Occupational Safety.

Certification Procedures

Mr. Desrosier stated there are no updates for Certification Procedures.

Airport Certification

Mr. Oswald stated there are no updates for Airport Certification, but they are eagerly awaiting final action on Safety Management Systems rulemaking.

TAEIG

Mr. Bolt stated TAEIG had no face-to-face meetings since the last EXCOM meeting, but has had email and phone activity. He noted the Flight Controls Working Group has a tasking on rudder reversal and its work plan has been approved. Mr. Bolt stated this was the first phase of its activity. He noted TAEIG will meet again May 16, 2012.

Mr. Elwell asked if Mr. Bolt heard the discussion on the RPWG tasking. Mr. Bolt stated he had not. Mr. Joseph noted the ARAC as a whole endorsed the RPWG to conduct the next level of testing. He stated the FAA is proposing to take recently approved rules and run them through the model. Mr. Joseph noted this proposed testing is in accordance with the statement of the need for further testing. He stated he hopes the RPWG will accept the new task. Mr. Bolt asserted the next round of testing is appropriate.

Mr. Joseph thanked Mr. Bolt and advised him to speak with Ms. Courtney and Ms. Haley.

OFF-AGENDA REMARKS FROM EXCOM MEMBERS

Mr. Joseph moved to the last item on the agenda and asked if anyone present had off-agenda comments.

Mr. Peri stated he had a question about policy. He noted the FAA Flight Standards Service (AFS) is developing a policy that creates immediate changes and has a direct effect on repair stations. Mr. Peri stated this policy changes the validity of bids and does not have an implementation period before issuance.

Ms. Hamilton asked if there was a comment period before issuing the policy. Mr. Peri stated there was not, and explained unintended consequences became apparent after implementation. He noted there is no mechanism to roll back policy when unintended consequences arise. Mr. Peri stated there is no procedure within the agency for a policy implementation period, nor is there a mechanism for policy removal if unintended consequences become apparent. He asked if the ARAC can make a recommendation to Rulemaking to manage this process.

Ms. Hamilton stated this policy does not go through Rulemaking; it is all within the AVS line of business. Ms. Hamilton suggested informally taking this suggestion to AFS and AVS. She stated if something more formal is needed, the ARAC could make a recommendation to the FAA, although the FAA first would have to assign it to the ARAC. Ms. Hamilton stated she will start by discussing it informally with the FAA to gauge its reaction and find out if the FAA as a whole would benefit from an ARAC recommendation.

Ms. Courtney asked if there was a specific policy to which Mr. Peri was referring. Mr. Peri stated he was referring to FAA Order 8900.1, Volume 4, Chapter 9, Section 1, which is AFS-300 policy. He noted this policy immediately changed the field approval process, making it financially burdensome for repair stations.

Mr. Desrosier stated this policy had an immediate effect with no opportunity for the industry to provide input. He noted industry input could have changed the policy. Ms. Hamilton stated there should be an opportunity for policy review and for the FAA to receive comments before finalizing the policy.

Mr. Peri stated the consequences were unintended and the policy writers did not envision them. He noted the problem is the lack of a mechanism to rescind the policy without creating more problems. Mr. Peri stated it is necessary to stop the policy and correct it, rather than continue using it while fixing it.

Mr. Elwell stated manufacturers can relate to this problem, as the issue is not new. He noted he endorses examining the problem to discover a possible solution. Mr. Elwell stated the FAA is caught between expediency and avoidance of unintended consequences, while being thorough. He noted it is necessary to examine a process that omits a Federal Register comment period, but prevents issuing a policy in a short amount of time without input.

Mr. Oswald expressed support from the airport side, as he faces similar issues. Ms. Hamilton stated she would informally consult with AVS-1 and report to EXCOM.

Mr. Joseph asked if there were additional comments, issues, or concerns. Mr. Joseph stated his term as Chairman expired last year, but as requested, he remained in his position until the reorganization is complete. He noted the reorganization will be complete shortly and it is time for him to step down. Mr. Joseph stated it is also time for Mr. Elwell to step up, which leaves the seat of Vice Chairman open. He invited ARAC members to nominate themselves or another ARAC member. Mr. Joseph advised the ARAC to be sure a member wants to be nominated before nominating them, because employers often must approve the position.

Mr. Joseph reminded everyone that the Vice Chairman term is typically 2 years and then the Vice Chairman becomes the Chairman for 2 years, after which time the individual will return to his or her normal position on ARAC. He stated those who are willing to serve can contact Mr. Elwell or himself with questions. He noted the deadline for submitting recommendations to the FAA is April 14, 2012, so the FAA can appoint the Vice Chairman.

Ms. Hamilton stated the FAA has looked into improving conferencing capabilities, based on feedback from the June 2011 EXCOM meeting. She noted the FAA could use Web conferencing and online meetings allowing the ARAC to share the computer screen with remote participants so they can view images projected during the meeting. Ms. Hamilton stated voice participation would remain the same. She added the FAA can provide the capability but is not sure if there is sufficient demand to warrant use. Ms. Hamilton noted as ARAC expands, there may be more people who cannot attend meetings on a quarterly basis. Mr. Bolt and others supported the Web conferencing option.

Ms. Hamilton stated this ARAC meeting is her last, because she accepted another position within AVS. She noted the Acting Director for Rulemaking will begin on April 23, 2012, for 4 months while they bid the position. Ms. Hamilton stated it was a pleasure working with the ARAC and thanked everyone for supporting her role as the Director of Rulemaking.

Mr. Joseph stated Ms. Hamilton has been filling both her role as the Director of Rulemaking and her new role for some time, and he is sure she will do well. Mr. Elwell noted Ms. Hamilton and her staff have been phenomenal and supportive.

Mr. Elwell stated he and Mr. Joseph will make their transition during the next meeting.

Mr. Joseph agreed and noted the transition will take place at the end of the meeting.

Ms. Hamilton confirmed this.

Mr. Elwell stated Mr. Joseph has been a great mentor and teacher. Mr. Joseph expressed his gratitude and added mentors and teachers make up the whole EXCOM. He noted Mr. Bolt, Mr. Edinunds, and Ms. MacLeod acted as his mentors, and he stated he hopes to have the opportunity to do the same as he returns to the table.

Mr. Joseph reminded the EXCOM members to return their comment form to Ms. Butner at the end of the meeting.

Mr. Peri stated the ARAC's performance is much greater today than when he first started. He noted he gladly supports the increase from .25 to 1.75 staff years because the performance is worth every penny. Ms. Hamilton expressed gratitude to her staff and credited them with doing much of the work.

Mr. Joseph stated ARM supported the ARAC well and its interaction and input benefited the assigned tasks. He noted he hopes there is more to come and encouraged the FAA to make use of the ARAC. Ms. Hamilton agreed.

ADJOURNMENT

With no additional comments, Mr. Joseph adjourned the meeting at 2:25 p.m.

Approved by: Norman Joseph
Norman Joseph, Chair

Dated: 17 MAY 2012

Ratified on: 6/5/12