

ORDER

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

1110.140

5/3/04

**SUBJ: CREWMEMBER/DISPATCHER QUALIFICATION AVIATION
RULEMAKING COMMITTEE**

1. PURPOSE. This order establishes the Crewmember/Dispatcher Qualification Aviation Rulemaking Committee (hereinafter referred to as Committee) according to the Administrator's authority under Title 49 of the United States Code (49 U.S.C.) section 106(p)(5).

2. DISTRIBUTION. This order is distributed at the director level throughout the Office of the Associate Administrator for Regulation and Certification in Washington headquarters; to the director level in the regions; and to all regional Flight Standards divisions.

3. BACKGROUND. The Federal Aviation Administration (FAA) has not made comprehensive changes to Title 14 of the Code of Federal Regulations (14 CFR) part 121, subparts N and O, since 1970. Because of FAA analyses and recommendations from the National Transportation Safety Board, the White House Commission on Aviation Safety and Security, two safety summits, Congressional review committees on aviation safety, and Joint Government/industry Commercial Aviation Safety Teams (CAST), the FAA has been working on a comprehensive review of 14 CFR part 121, subparts N and O. The focus of the rulemaking has been to make improvements in flight and ground training programs by requiring flight simulation to support flight training requirements, properly documenting operational procedures in the crewmember operating manual, looking at current practices in industry, and reorganizing the requirements to be easier to understand. The FAA would like to take advantage of authority granted to the Administrator by bringing industry into a review of proposed changes to the part 121, subpart N and O, requirements.

4. OBJECTIVES AND SCOPE. This Committee will provide a forum for the FAA and the aviation community to discuss proposed language regarding crewmember and dispatcher qualification.

a. The general goal of the Committee is to provide advice, guidance, and recommendations for changes to proposed rule language. The Committee will focus on changes to improve flight safety issues; the application of simulation to flight crewmember training, testing, or checking activities; and implementation of technical changes in training or qualification standards. This Committee provides a forum for the FAA and affected members of the aviation community to discuss issues and develop resolutions to facilitate the evolution of crewmember qualification.

b. To achieve these objectives, the Committee's initial task is to review draft changes to rule language in subparts N and O. Subsequent tasks will include providing advice, guidance, and

recommendations for changes to the qualification performance standards appendices in part 121. To accomplish these tasks, the Committee will have three specialized subcommittees. The subcommittees are:

- (1) Flightcrew (pilot in command, second in command, and flight engineer);
- (2) Flight attendant; and
- (3) Dispatcher.

c. The Associate Administrator for Regulation and Certification will provide definitive tasking statements and assignments to the Committee.

5. PROCEDURES.

a. The Committee provides advice and recommendations to the Associate Administrator for Regulation and Certification. The Committee acts solely in an advisory capacity.

b. The Committee will discuss and present whatever input, guidance, and recommendations the members of the Committee consider relevant to disposing of tasks assigned to it.

c. The co-chairs will determine the earliest time that the Committee members are able to meet to discuss the initial task assigned to the Committee. The co-chairs will conduct Committee meetings as necessary to dispose of the tasks assigned. Subcommittee chairs will conduct meetings of their subcommittees, as scheduled by the Committee co-chairs, to provide input to tasks assigned to the Committee.

6. ORGANIZATION AND ADMINISTRATION.

a. The Associate Administrator for Regulation and Certification is the sponsor of the Committee and will have the sole discretion to accept or reject the members of the Committee, as proposed by the Committee co-chairs, and to increase or decrease the number of participants on the Committee. The Committee will consist of members of the aviation community representative of various viewpoints.

b. The Associate Administrator for Regulation and Certification will receive all Committee recommendations and reports. The Office of Rulemaking will provide administrative support for the Committee. The Flight Standards Service will provide the designated Federal official (FAA co-chair) for the Committee.

c. The co-chairs will:

(1) Determine, in coordination with the other members of the Committee, when Committee and subcommittee meetings are required and where they will be held.

(2) Arrange notification to all Committee and subcommittee members of the time and place for any meeting.

(3) Formulate an agenda for each Committee meeting and conduct the meeting.

(4) Arrange for the attendance of other FAA employees at Committee and subcommittee meetings, as necessary.

d. The subcommittee chairs will:

(1) Formulate an agenda for each subcommittee meeting and conduct the meeting.

(2) Report to the Committee all advice, guidance, and recommendations for changes to the new proposed language.

e. The Committee and subcommittees are required to keep written records of proceedings in whatever format the Committee and subcommittee chairs determine appropriate.

f. Although a quorum is desirable at Committee meetings, it is not required.

7. MEMBERSHIP.

a. Committee size will be approximately 30 members, including the co-chairs, subject matter representatives from industry and FAA, and a representative from the FAA's Office of Rulemaking. The Associate Administrator for Regulation and Certification may wish to have a representative from the FAA's Chief Counsel's office in attendance at Committee meetings to provide legal advice regarding any recommendations that may be made and a representative from the Office of Policy and Plans to provide economic advice. In addition, the Associate Administrator for Regulation and Certification may wish to have an observer from the Joint Aviation Authorities (JAA) attend Committee meetings.

b. Members of the Committee and subcommittees will be chosen by the Committee co-chairs, with the concurrence of the Associate Administrator for Regulation and Certification, and will form a representative cross-section of that segment of the aviation industry most closely associated with the issue at hand or most able to provide meaningful input to such deliberations.

c. Legal, economic, administrative, or contractual support provided by the FAA is not part of the Committee size. In addition, a JAA observer is not part of the Committee size.

8. COST AND COMPENSATION. The estimated cost to the Federal Government of the Crewmember/Dispatcher Qualification Aviation Rulemaking Committee is approximately \$5,000 annually. Non-Government representatives serve without Government compensation and bear all costs related to their participation on the Committee. As non-Government representatives, the chair and all non-FAA Committee members serve without Government compensation and bear all costs related to their participation on the Committee.

9. PUBLIC PARTICIPATION. Persons or organizations that are not members of this Committee and are interested in attending a meeting must request and receive approval in advance of the meeting from one of the Committee co-chairs.

10. AVAILABILITY OF RECORDS. Subject to the conditions of the Freedom of Information Act, 5 U.S.C. section 522, records, report, agendas, working papers, 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 FAA Office of Rulemaking, 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 49 CFR part 7.

11. PUBLIC INTEREST. The formation of the Crewmember/Dispatcher Qualification Aviation Rulemaking Committee is determined to be in the public interest in connection with the performance of duties imposed on the FAA by law.

12. EFFECTIVE DATE AND DURATION. This Committee is effective on 5/3/04. The Committee will remain in existence until 5/3/06, unless sooner terminated or extended by the Administrator.

/s/ Marion C. Blakey
Administrator