ORDER

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

1110.29B

10/30/73

SUBJ: AIR TRAFFIC CONTROL ADVISORY COMMITTEES

1. PURPOSE. This order revises authority and guidelines for the establishment and renewal of required charters (orders) for the continued use of Air Traffic Control Advisory Committees in FAA Regions.

2. DISTRIBUTION. This order is distributed to Air Traffic branch level and above in Washington and Regional Headquarters and Area Offices; Branch level in the FAA Academy; Air Traffic Systems Division branches at the National Aviation Facilities Experimental Center, and all Air Traffic Field Offices.

3. ACTION. FAA regional directors are responsible for:

   a. Establishing or extending Air Traffic Control (ATC) Advisory Committees at appropriate locations within their respective regions which in their judgment will best serve the interests of the users of the air traffic control system.

   b. Assuring that each committee is operated and administered in all respects as required by rules and guidelines provided in this order.

   c. Assuring that each advisory committee meeting is open to the public and that interested persons are permitted to attend, appear before, or file statements with the committee.

   d. Assuring that appropriate reports, records and other papers are assembled and maintained for each advisory committee during its existence and that transcripts of committee procedures and minutes of meetings are made available for public inspection or copies made available to any person at cost of duplication.

4. CANCELLATION. Order 1110.29A, Air Traffic Control Advisory Committees, is cancelled.

5. ESTABLISHMENT OR EXTENSION. No ATC Advisory Committee shall be established or extended unless it has been determined as a matter of formal record by the Administrator, after consultation with the Secretary of Transportation and the Director of the Office of Management and Budget, to be in the public interest in connection with the performance of duties imposed on the Federal Aviation Administration by law. Thirty days must elapse from the date of publication in the Federal Register announcing the establishment or renewal of an advisory committee before its charter (order) may be filed by the DOT Committee Management Officer.

Distribution: WR/ AT-3; CAY-3; NTS-3; MAT-2; FAT-0 (minimum)

Initiated By: AAT-330

No advisory committee shall take any action (other than preparation and filing of its charter) prior to the date on which the charter is filed.

a. Regional Air Traffic Divisions, as sponsors, shall prepare an unsigned and undated proposed regional order (see Appendix 1 for suggested format) for each ATC advisory committee; a completed Committee Record (Form DOT F 1100.1); and a notice (signed by the regional director but undated) announcing establishment or renewal of the committee for publication in the Federal Register (see Appendix 2 for suggested format). After coordination and approval, these documents shall be forwarded, at least sixty days in advance of the proposed effective date, to the Director of Management Systems (Attention: AMS-530) for further coordination and consultation with the Administrator, Secretary of Transportation and Director of Management and Budget, and for publication of the Federal Register notice.

(1) The proposed charter (order) shall include items covering:

(a) The committee's official designation.

(b) The committee's objectives and the scope and description of its functions.

(c) The regional official to whom the committee reports.

(d) The ATC facility responsible for providing the necessary support services to the committee.

(e) Frequency of committee meetings.

(f) The statement that nongovernment members will serve without compensation and will not be paid transportation and per diem.

(g) The committee termination date, not to exceed a two-year period.

(h) A statement that the committee is to be operated in all respects as required by Public Law 92-463.

(i) The estimated annual operating cost (including pro rata share of FAA professional and clerical employees).

(j) The estimated man-year or fractional man-year requirements for FAA employees to serve and support the committee.

(k) A statement that the establishment (or extension) and continued use of the committee are determined to be in the public interest in connection with the performance of duties imposed on FAA by law.

(l) The last paragraph of the charter (order) shall read:

Secretarial Approval. Establishment (or extension if applicable) of the committee was approved by the Secretary on_____ (date).

(2) All items on the Committee Record (Form DOT F 1100.1) except A and B under Part II, Assessment, must be completed. Particular attention must be given to the committee costs.

(a) The items under the payment to nongovernment members are self-explanatory. The Personal Services Block should be left blank because nongovernment members will not be paid.

(b) Use the fourth-step hourly rate for all GS grades when estimating the salary costs applicable to FAA committee members.

(c) Information shall be provided pertaining to the man-year costs for operation of the committee. This information must be included in Block C under Part II. For estimating purposes, use one-sixteenth of a man-year in developing man-year requirement costs. Should the man-year costs differ, then insert appropriate cost figures.

b. Following approval by the Secretary, the charter, with the date of his approval entered therein, will be returned by the Office of Management Systems to the appropriate regional director for signing, dating and issuing as a regional order.

c. A copy of the notice published in the Federal Register to announce the establishment or renewal of the committee will be forwarded by the Office of Management Systems to the appropriate regional director. Following its receipt by the region, two signed and dated copies of the charter (order) will be forwarded to the Director of Air Traffic Service and seven copies to the Director of Management Systems (Attention: AMS-530) to arrange for official filing of the charter by the DOT Committee Management Officer.

6. MODIFICATION OF COMMITTEE. Any major modification to an advisory committee sponsored by FAA (e.g., a change in sponsorship, membership, purpose or scope) must be approved by the Secretary of Transportation by a revision of the charter (order).

7. RENEWAL. The procedures for renewal (including rechartering) of advisory committees are the same as described for establishment in paragraph 5. Therefore, the necessary documents shall be prepared and forwarded to the Director of Management Systems (Attention: AMS-530) approximately 90 days before the scheduled date of termination.

8. COMMITTEE FUNCTION.

a. ATC Advisory Committees provide a forum for promoting a mutual understanding of air traffic control problems and programs with users of the air traffic control system and for exchanging ideas for improving air traffic service.

b. Such committees shall be utilized solely for advisory functions. Only officers or employees of the Federal Aviation Administration shall make decisions on action to be taken regarding matters upon which an advisory committee advises or recommends.

9. COMMITTEE MEMBERSHIP.

a. Committee membership shall be composed of representatives of the Federal Aviation Administration, the military services, and civil users of the air traffic control system. The Federal Aviation Administration representatives shall be designated by the regional director and must be full-time air traffic control employees. One of the three FAA representatives shall be the chairman. The second FAA representative shall be designated the alternate chairman/member and the third representative shall be the alternate member.

b. Each of the other member organizations shall be entitled to two participating representatives, a member and an alternate member. The chairman appoints the nongovernment members. These may be either individuals or organizations. Consideration should be given to designating members by organizational title (ex officio) rather than by individual name. This permits continuing organizational membership despite personnel changes.

c. Participating organizations may change their committee representation by written notification to the chairman. Committee participation by nongovernment members does not make them government employees.

d. Any military or civil user of the air traffic control system may request membership on an Air Traffic Control Advisory Committee. Such requests should be addressed to the chairman. However, the membership shall be fairly balanced in terms of points of view represented and functions to be performed by the committee. The advice and recommendations of the committee shall not be inappropriately influenced by the appointing authority or special interest.

10. COMMITTEE RECORDS.

a. Detailed minutes of each ATC Advisory Committee meeting shall be kept and shall contain a record of the persons present, a complete and accurate description of matters discussed and conclusions reached and copies of all reports received, issued or approved by the advisory committee. The accuracy of all minutes shall be certified to by the chairman of the advisory committee. Six copies of all minutes shall be forwarded to the Director, Air Traffic Service.

b. Regional offices shall keep records as will fully disclose the disposition of any funds which may be at the disposal of its ATC Advisory Committees and the nature and extent of their activities.

c. The records, reports, transcripts, minutes, appendixes, working papers, drafts, studies, agenda or other documents which were made available to or prepared for or by each ATC Advisory Committee shall be available for public inspection and copying at a single location designated within the region until the committees cease to exist.

11. PUBLIC NOTICE OF MEETINGS. No ATC Advisory Committee shall meet or take any action until a charter has been filed and approved in accordance with the provisions of Paragraph 5 of this order. Additionally, the chairman shall prepare and sign a notice of committee meetings for publication in the Federal Register. Such notices shall be forwarded to the Rules Dockets Section, AGC-24, a minimum of 21 days prior to the meeting date in order that such notice can be published in the Federal Register at least 7 days before the date of the meeting. The meeting agenda should be included in the public notice. The format of a sample notice of meeting is included in Appendix 3.

12. COMMITTEE RULES.

a. No committee meeting shall be held except at the call of the chairman or alternate chairman and with an agenda formulated or approved by him.

b. All meetings shall be conducted by the chairman or in his absence by the alternate chairman. In the event both are absent the meetings shall be cancelled.

c. Each ATC Advisory Committee meeting shall be open to the public. Interested persons shall be permitted to attend, appear before or file statements with any ATC Advisory Committee subject to such reasonable rules or regulations as the Director, Office of Management and Budget may prescribe.

d. The chairman shall adjourn any meeting or close any discussion whenever he considers it to be in the public interest. In this regard, the chairman shall ensure that special interest groups shall not use attendance at meetings or their membership on the advisory committee to promote their private concerns.

e. Recommendations or conclusions of the committee shall be formulated for each agenda item after review, discussion and analysis. Dissenting committee member positions shall be reported in the minutes together with the majority opinion.

f. Committee proceedings should be conducted in a formal atmosphere and the chairman may require "statements of intent to speak" on specific agenda items from interested persons prior to the start of the meeting.

13. DETERMINATION. The establishment, extension and continued use of Air Traffic Control Advisory Committees is determined to be in the public interest in connection with the performance of duties imposed on the Federal Aviation Administration by law. Therefore, each committee is to be continued for a period limited to two years, unless the Secretary or other appropriate official determines in writing, prior to the end of that or each subsequent two-year period, that further continuation is no longer in the public interest.

Alexander P. Butterfield
Administrator

APPENDIX 1. SAMPLE PROPOSED ORDER

ORDER

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

SW 1110.

SUBJ:

1. PURPOSE. This Order extends the Houston Air Traffic Control Advisory Committee and constitutes its charter, as required under the provisions of the Federal Advisory Committee Act (Public Law 92-463).

2. DISTRIBUTION. This Order is distributed to branch level in the Air Traffic Division and to division level in all other Regional Divisions and a minimum quantity is sent to all Air Traffic field facilities, Airport District Offices and all Flight Standards field offices.

3. CANCELLATION. Order SW 1110.14A and Notice SW N1110.20 are cancelled.

4. ORGANIZATION.

   a. Committee membership shall be composed of representatives of the Federal Aviation Administration, the military services, and civil users of the air traffic control system. Any civil user of the air traffic control system may request membership on an Air Traffic Control Advisory Committee. Such requests should be addressed to the chairman.

   b. The FAA representatives shall be designated by the regional director and must be full-time air traffic control employees. One of the three FAA representatives shall be the chairman. The second FAA representative shall be designated the alternate chairman/member and the third representative shall be the alternate member.

   c. Airports and Flight Standards Divisions personnel shall be invited to attend meetings as observers and to participate in those which concern their areas of responsibility.

   d. The chairman appoints the nongovernment members. These may be either individuals or organizations. The member organizations shall be entitled to two participating representatives, a member and alternate member. Any organization may change its representation by written notification to the chairman. Committee participation by nongovernment members does not make them government employees.

   e. The members shall be fairly balanced in terms of points of view represented and functions to be performed by the committee.

Distribution: R-2 (minus AT); RAT-3; FAT-0 (minimum); FAS-1 (minimum); FFS-0 (minimum)

Initiated By: ASW-500

The advice and recommendations of the committee shall not be inappropriately influenced by the appointing authority or special interest.

5. OBJECTIVES, SCOPE, AND DESCRIPTION. The committee: provides a forum for discussion of mutual air traffic control problems and programs and exchange of ideas; provides advice and makes recommendations to its respective Chief, Air Route Traffic Control Center (or Chief, Air Traffic Division if the Division chairs the Committee) regarding improvements in service or as to solution of current air traffic problems. The committee functions within and is limited to the geographical boundaries of the Houston Air Route Traffic Control Center. The committee functions only in an advisory capacity. It has no decision authority. Decision as to what action, if any, shall be taken on the committee's recommendations can only be made by an FAA officer or employee.

6. ADMINISTRATION. The Air Traffic Division is the sponsor of the committee. The Houston Air Route Traffic Control Center (or Air Traffic Division where it chairs the committee) provides the administrative support for the committee:

a. The chairman shall be responsible for:

(1) Formulating and approving the agenda for each meeting.

(2) Establishing the date for the meetings. Meetings shall be held every other month or six (6) times a year.

(3) Notifying all members of the time, place, and agenda for all meetings.

(4) Adjourning the meeting or closing discussion whenever he considers it in the public interest.

(5) Maintaining all committee files and records.

b. The nongovernment members will serve without compensation and will not be paid transportation and per diem.

c. Minutes shall be kept for each meeting. As a minimum, these shall include a record of persons present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued (if any) and approved by the committee. The chairman shall certify the minutes. All recommendations which cannot be acted upon by the chairman in his capacity as Chief of the Air Route Traffic Control Center are forwarded to the Air Traffic Division for action or forwarding to a higher echelon.

d. The committee meetings shall be open to the public and a notice of each meeting shall be published in the Federal Register together with the proposed agenda.

e. The committee shall be operated in all respects as required by Public Law 92-463.

f. The estimated annual operating cost of the committee is $1400. Approximately 1/16 of a man-year will be required in support of the committee.

7. DETERMINATION. The extension and continued use of the Houston Air Traffic Control Advisory Committee is determined to be in the public interest in connection with the duties imposed on the Federal Aviation Administration by law. Therefore, the committee is extended for a two year period ending _____.

8. SECRETARIAL APPROVAL. Establishment (or extension if applicable) of the committee was approved by the Secretary on _____.

APPENDIX 2. SAMPLE NOTICE OF RENEWAL

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

HOUSTON AIR TRAFFIC CONTROL ADVISORY COMMITTEE

NOTICE OF RENEWAL

Notice is hereby given that the Houston Air Traffic Control Advisory Committee is being renewed for the period terminating July 3, 1975, unless further renewed by appropriate action, pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463; 86 Stat. 770). The Air Traffic Division of the FAA Southwest Region is the sponsor of the committee. The committee is composed of representatives of the military services, the Federal Aviation Administration and civil users of the air traffic control system. The committee provides a forum for discussion of mutual air traffic control problems, programs and ideas and provides advice and recommendations regarding service problems or solutions to current air traffic problems within the geographical boundaries of the Houston Air Route Traffic Control Center. The chairman of the committee is designated by the Director, FAA Southwest Regional Office.

I have determined that renewal of this Advisory Committee is in the public interest in connection with the performance of duties imposed on the Federal Aviation Administration by law. Meetings of the committee will be open to the public.

ALEXANDER P. BUTTERFIELD
Administrator

Issued in Washington, D. C. on August 11, 1973.

APPENDIX 3. SAMPLE NOTICE OF MEETING

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

HOUSTON AIR TRAFFIC CONTROL ADVISORY COMMITTEE

NOTICE OF MEETING AND AGENDA

Pursuant to Section 10 (a)(2) of Public Law 92-463, notice is hereby given that the Houston Air Traffic Control Advisory Committee will hold a meeting at 10 a.m. CST, October 2, 1973, in Room 6, Houston Air Route Traffic Control Center, Federal Aviation Administration, 16600 J. F. Kennedy Blvd., Houston Intercontinental Airport, Houston, Texas 77060.

The purpose of the meeting is to provide a forum for promoting a mutual understanding of current air traffic control problems and programs with users of the air traffic control system and for exchanging ideas for improving air traffic service.

The meeting will be open to the public. Any member of the public planning to attend or wishing to obtain additional information should contact Mr. E. E. Lowther Chief, Houston Air Route Traffic Control Center, Room 1, 16600 J. F. Kennedy Blvd., Houston Intercontinental Airport, Houston, Texas 77060, telephone 713-443-8545. Written statements may be filed with the committee before or after the meetings.

Chairman, Houston Air Traffic Control
Advisory Committee

Issued in Houston, Texas, on September 11, 1973.