

2022 Current Fiscal Year Report: Aviation Consumer Protection Advisory Committee

Report Run Date: 02/04/2023 07:12:17 AM

1. Department or Agency	2. Fiscal Year
Department of Transportation	2022
3. Committee or Subcommittee	3b. GSA Committee No.
Aviation Consumer Protection Advisory Committee	80474

4. Is this New During Fiscal Year?	5. Current Charter	6. Expected Renewal Date	7. Expected Term Date
No	06/28/2021	06/28/2023	03/31/2023

8a. Was Terminated During FiscalYear?	8b. Specific Termination Authority	8c. Actual Term Date
No	Pub. L. 114-190 Sec 1102(j), amended by PL 115-63	

9. Agency Recommendation for Next FiscalYear	10a. Legislation Req to Terminate?	10b. Legislation Pending?
Continue	Not Applicable	Enacted

11. Establishment Authority Statutory (Congress Created)

12. Specific Establishment Authority	13. Effective Date	14. Committee Type	14c. Presidential?
Pub. L. No. 112-95, 126 Stat. 11	02/14/2012	Continuing	No

15. Description of Committee National Policy Issue Advisory Board

16a. Total Number of Reports No Reports for this FiscalYear

17a. Open 3 **17b. Closed** 0 **17c. Partially Closed** 0 **Other Activities** 0 **17d. Total** 3

Meetings and Dates

Purpose	Start	End
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Two topics will be discussed at the December 2, 2021 meeting—(1) Airline Ticket Refunds and (2) Information for Consumers Adversely Affected by Airline Delays or Cancellations. 12/02/2021 - 12/02/2021

(1) Transparency of Airline Ancillary Service Fees and (2) Availability of Airline Flight Information. 06/28/2022 - 06/29/2022

Department's Notice of Proposed Rulemaking on Airline Ticket Refunds and Related Consumer Protections. 08/22/2022 - 08/22/2022

Number of Committee Meetings Listed: 3

	Current FY	Next FY
18a(1). Personnel		
Pmts to Non-Federal Members	\$0.00	\$0.00
18a(2). Personnel		
Pmts to Federal Members	\$0.00	\$0.00
18a(3). Personnel		
Pmts to Federal Staff	\$111,846.00	\$85,000.00
18a(4). Personnel		
Pmts to Non-Member Consultants	\$0.00	\$0.00
18b(1). Travel and Per Diem to Non-Federal Members	\$1,085.97	\$2,500.00
18b(2). Travel and Per Diem to Federal Members	\$0.00	\$0.00
18b(3). Travel and Per Diem to Federal Staff	\$2,527.00	\$2,500.00
18b(4). Travel and Per Diem to Non-member Consultants	\$0.00	\$0.00
18c. Other(rents,user charges, graphics, printing, mail, etc.)	\$13,210.00	\$10,000.00
18d. Total	\$128,668.97	\$100,000.00
19. Federal Staff Support Years (FTE)	0.73	0.30

20a. How does the Committee accomplish its purpose?

Committee established by PL 112-95. Meetings of members to examine adequacy of Dept. programs relating to consumer protection in aviation.

20b. How does the Committee balance its membership?

As per statute, PL 112-95. It contains one representative each from State or Local Governments, Airports, Airlines, and Consumer Advocates.

20c. How frequent and relevant are the Committee Meetings?

Estimated Number of Meetings per Year - 2.
Committee meetings are to develop recommendations to the Secretary on improving aviation consumer protection programs.

20d. Why can't the advice or information this committee provides be obtained elsewhere?

Committee established by statute PL 112-95.

20e. Why is it necessary to close and/or partially closed committee meetings?

N/A

21. Remarks

The Committee was established by PL 112-95, and extended through legislation (P.L.115-254) until March 31, 2023.

Designated Federal Officer

Blane Workie Assistant General Counsel for Aviation Enforcement and Proceedings

Committee Members	Start	End	Occupation	Member Designation
Breyault, John	06/28/2021	06/28/2022	National Consumers League	Representative Member

Healey, Maura	06/28/2021	03/31/2022	Attorney General of Massachusetts	Representative Member
Nessel, Dana	05/13/2022	05/13/2023	Attorney General of Michigan	Representative Member
Rodriguez, Mario	06/28/2021	06/28/2022	Indianapolis Airport Authority	Representative Member
Vercelli, Patricia	06/28/2021	06/28/2022	Airlines for America	Representative Member

Number of Committee Members Listed: 5

Narrative Description

The Advisory Committee for Aviation Consumer Protection evaluates and provides recommendations to the Secretary of Transportation on ways to improve existing aviation consumer protection programs and for establishing additional such programs, if needed. The Committee was chartered in May 2012. The ACACP held its first two meetings during FY 2012; the third and fourth meetings were held during FY 2013; the fifth meeting took place during FY 2014. The ACACP met four more times in FY 2015, and submitted preliminary recommendations which will be the basis for its final report to the Department. It was dormant throughout FY 2016, but was reestablished under renewed statutory authority in FY 2017. No committee activity occurred in FY 2017 and FY 2018 and all member appointments expired. In FY 2019, the Committee was reestablished and renamed as the Aviation Consumer Protection Advisory Committee and new members were appointed. A public meeting was held on April 4, 2019, and September 24, 2020. ACPAC held three meetings in the fiscal year 2022: the first meeting took place on December 2, 2021; the Second Meeting took place on June 28 & 29, 2022; the Third meeting took place on August 22, 2022.

What are the most significant program outcomes associated with this committee?

Checked if Applies

- Improvements to health or safety
- Trust in government
- Major policy changes
- Advance in scientific research

- Effective grant making
- Improved service delivery
- Increased customer satisfaction
- Implementation of laws or regulatory requirements
- Other

Outcome Comments

Not Applicable

What are the cost savings associated with this committee?

Checked if Applies

- None
- Unable to Determine
- Under \$100,000
- \$100,000 - \$500,000
- \$500,001 - \$1,000,000
- \$1,000,001 - \$5,000,000
- \$5,000,001 - \$10,000,000
- Over \$10,000,000
- Cost Savings Other

Cost Savings Comments

Not Applicable

What is the approximate Number of recommendations produced by this committee for the life of the committee?

15

Number of Recommendations Comments

The ACPAC made 15 total recommendations in FY 21. However, the majority of the recommendations were directed to entities other than the Department, such as other federal agencies or airlines. Three recommendations were recommendations to the Department in FY 21. On the topic of the inflight sexual misconduct, the ACPAC recommended that the Department should (1) take steps to ensure that passengers, airports, and airlines are aware that acts of sexual misconduct are punishable under federal law and how incidents involving in-flight sexual misconduct should be reported; and (2) forward any complaints of in-flight sexual misconduct to the FBI. On the topic of

Transparency of Airline Ancillary Service Fees, the ACPAC recommended that the Department should remain vigilant to ensure compliance with the transparency requirements that currently exist

What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?

100%

% of Recommendations Fully Implemented Comments

The Department has fully implemented the three recommendations made to it by the ACPAC.

What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?

0%

% of Recommendations Partially Implemented Comments

Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?

Yes No Not Applicable

Agency Feedback Comments

The FAA Modernization and Reform Act of 2012 directs Secretary of Transportation to report to Congress no later than February 1 in both 2013 and in 2014 on the recommendations made by the ACACP during the preceding calendar year, how each recommendation has been implemented, and the Secretary's reason for any recommendation not implemented.

What other actions has the agency taken as a result of the committee's advice or recommendation?

Checked if Applies

- Reorganized Priorities
- Reallocated resources
- Issued new regulation
- Proposed legislation
- Approved grants or other payments
- Other

Action Comments

Is the Committee engaged in the review of applications for grants?

No

Grant Review Comments

Not Applicable

How is access provided to the information for the Committee's documentation?

Checked if Applies

- Contact DFO
- Online Agency Web Site
- Online Committee Web Site
- Online GSA FACA Web Site
- Publications
- Other

Access Comments

All committee documents are available on the public docket for the committee [DOT-OST-2018-0190] and through the committee's website, <https://www.transportation.gov/airconsumer/ACPAC>