

Charter of the NextGen Advisory Committee

U.S. Department of Transportation

- 1. Committee's Official Designation.** NextGen Advisory Committee (NAC).
- 2. Authority.** The Committee is established under the authority of the U.S. Department of Transportation (DOT), in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, Pub. L. 92-463, 5 U.S.C. App. 2. The Secretary of Transportation has determined that the establishment of the Committee is in the public interest.
- 3. Objective and Scope of Activities.** The objective of the NAC is to provide independent advice and recommendations to the Federal Aviation Administration (FAA) and to respond to specific taskings received directly from the FAA. The advice, recommendations, and taskings relate to concepts, requirements, operational capabilities, the associated use of technology, and related considerations to operations that affect the future of the Air Traffic Management System and the integration of new technologies. In addition, the NAC recommends consensus-driven advice for the FAA consideration relating to Air Traffic Management System modernization, which FAA may adopt.
- 4. Description of Duties.** The objective of the NAC is to advise the FAA, using consensus-based meeting methodologies, on (1) investment priorities, (2) NextGen priorities and performance analyses reports, (3) trajectory-based operations deployment and planning consistent with the FAA's NextGen Vision, and (4) ad hoc taskings received directly from the FAA. The NAC will act solely in an advisory capacity and will not exercise program management responsibilities. Decisions directly affecting implementation of transportation policy will remain with the FAA Administrator and the Secretary of Transportation.
- 5. Agency or Official to Whom the Committee Reports.** The NAC reports to the Secretary of the Department of Transportation (DOT) through the FAA Administrator.
- 6. Support.** The FAA Office of NextGen will provide support as consistent with the FACA, including funding for the Committee and maintaining committee records.
- 7. Estimated Annual Operating Costs and Staff Years.** The FAA's annual operating costs to support the NAC for the period and scope specified by the charter will not exceed \$500,000 including the salary and benefits of 1.0 full-time equivalent (FTE).

8. Designated Federal Officer. The FAA Administrator, on behalf of the Secretary of Transportation, will appoint a full-time or permanent part-time Federal employee to serve as the NAC Designated Federal Officer (DFO) (or designee). The NAC DFO or designee will ensure that administrative support is provided for all activities. The Designated Federal Officer or designee will:

- a. Call and attend all the committee and subcommittee meetings.
- b. Formulate and approve all committee and subcommittee agendas.
- c. Adjourn any meeting when doing so would be in the public interest.
- d. Chair meeting when directed to do so by the official to whom the advisory committee reports.

9. Estimated Number and Frequency of Meetings. The committee will meet approximately 3 times per year to carry out its responsibilities.

10. Duration. Continuing.

11. Termination. The charter will terminate 2 years after its effective date unless renewed in accordance with FACA and other applicable requirements, or terminated at an earlier date. If the NAC is terminated, the FAA will provide as much notice as possible of such action to all participants.

12. Membership and Designation. The FAA will submit recommendations for membership to the Secretary of Transportation, who will appoint members to the NAC. All NAC members serve at the pleasure of the Secretary of Transportation.

- a. The NAC will have no more than 30 members.
- b. Members may serve as representatives, Special Government Employee (SGE) or as Regular Government Employees. Individuals will be appointed as representatives if they will represent a particular interest of employment, education, experience, or affiliation with a specific aviation-related organization. Representative and SGE members will serve without charge, and without government compensation.
- c. Representatives must represent a particular interest of employment, education, experience, or affiliation with a specific aviation-related organization.
- d. Federal employee members will serve as Regular Government Employees.
- e. A member appointed solely for their expertise will serve as a SGE.

13. Subcommittees. The FAA Administrator has the authority to create and dissolve subcommittees, as needed. Subcommittees and their respective working groups will not work independently of the NAC. They must provide recommendations and advice to the NAC, not the FAA, for deliberation, discussion, and approval.

14. Recordkeeping.

- a. The records of the committee and subcommittee will be handled in accordance with the General Records Schedule 6.2, or other approved agency records disposition schedules.
- b. These records will be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552. The records, reports, transcripts, minutes, and other documents that are made available to or provided for or by the NAC are available for public inspection at www.faa.gov/regulations_policies.

15. Filing Date. This charter is effective June 15, 2020, the date on which it was filed with Congress. This Committee will remain in existence for 2 years after this date unless sooner terminate.