



**U.S. DEPARTMENT OF TRANSPORTATION**  
**FEDERAL AVIATION ADMINISTRATION**  
Aviation Rulemaking Committee Charter

Effective Date: 06/09/10  
Extended: 06/08/18

**SUBJECT: Performance-Based Operations Aviation Rulemaking Committee**

1. **PURPOSE.** This charter extends the Performance-Based Operations Aviation Rulemaking Committee (PARC), according to the Administrator's authority under Title 49 of the United States Code (49 U.S.C. § 106(p)(5)). The sponsor of the ARC is the Executive Director, Flight Standards Service. This charter outlines the ARC's organization, responsibilities, and tasks.
  
2. **BACKGROUND.** The Federal Aviation Administration (FAA) has committed to implementing performance-based airspace operations as one part of the implementation of NextGen. Given this commitment, there exist significant issues with industry dynamics; new technologies; new aircraft types/capabilities and configurations as well as current operations; airspace use; airports; infrastructure; economics; and the environment. These complex issues mandate a comprehensive review and possible revision of existing regulatory criteria and guidance materials. Where existing criteria and guidance is inadequate or nonexistent, there will be a requirement to develop and implement new regulatory criteria and the guidance material needed by all stakeholders. Issues under review include:
  - a. Expeditious development of performance-based criteria and standards.
  - b. Implementation of airspace and procedure improvements.
  - c. Integration of airspace operations with airport and surface operations.
  - d. Supporting the implementation dates for performance-based navigation for selected airspace, routes, and procedures.
  - e. Facilitating the maximum or ideal use of modern communication, navigation and surveillance equipment, and capabilities (including the Global Positioning System (GPS)) found in today's large base of qualified aircraft.
  - f. Supporting the reduction of controlled flight into terrain (CFIT) and approach and landing accidents as identified by the Commercial Aviation Safety Team.
  - g. Addressing improvements in terminal area operations to support the relief of airport capacity constraints and associated delays.
  - h. Evolving technologies and potential equipment upgrades provide increased operational and safety benefits that may not be realized unless a practical means is established to prioritize, direct, and facilitate new criteria and implementation.

- i. Harmonization of operations, procedures, and International Civil Aviation Organization (ICAO) standards to support and facilitate the global aspects of aviation operations and aircraft production.

**3. OBJECTIVES OF THE ARC.** This committee will provide a forum for the U.S. aviation community to discuss, prioritize, and resolve issues, provide direction for U.S. flight operations criteria, support the NextGen Implementation Plan and produce U.S. consensus positions for global harmonization.

**4. TASKS OF THE ARC.** The tasks of the PARC are:

- a. Develop means to implement improvements in the National Airspace System (NAS) operations that address safety, capacity, and efficiency objectives, as tasked, consistent with global implementation.
- b. Discuss issues and develop resolutions and processes to promote the evolution of safe and efficient NAS operations.
- c. Address international harmonization and ICAO standards.
- d. Coordinate the resolution of any comments on related proposed rulemaking.
- e. Develop and recommend to the FAA draft advisory circular language and a strategy, process, and schedule for the implementation of new or revised criteria.
- f. Develop and recommend to the FAA updated guidance material, notices, handbooks, and other relevant material for performance-based operations.
- g. Make recommendations, including necessary rulemaking and additional tasking, to the Administrator through the Associate Administrator for Aviation Safety.
- h. Within 12 months from the first meeting after the effective date of the charter, submit a recommendation report.
  - i. The Industry Co-Chair sends the recommendation report to the FAA Co-Chair and the Director of the Office of Rulemaking.
  - ii. The FAA Co-Chair determines when the recommendation report and records, pursuant to paragraph (8), will be made available for public release.

**5. ARC PROCEDURES.**

- a. The ARC acts solely in an advisory capacity by advising and providing written recommendations to the FAA Co-Chair.

- b. The ARC may propose related follow-on tasks outside the stated scope of the ARC to the FAA Co-Chair.
- c. The ARC may reconvene following the submission of the recommendation report for the purposes of providing advice and assistance to the FAA, at the discretion of the FAA Co-Chair, provided the charter is still in effect.

**6. ARC ORGANIZATION, MEMBERSHIP, AND ADMINISTRATION.** The FAA will set up a committee of members from the aviation community. Members will be selected based on their familiarity and experience with performance-based airspace operations analysis and regulatory compliance. Membership will be balanced in viewpoints, interests, and knowledge of the committee’s objectives and scope.

The provisions of the August 13, 2014 Office of Management and Budget (OMB) guidance, “Revised Guidance on Appointment of Lobbyists to Federal Advisory Committees, Boards, and Commissions” (79 FR 47482), continues the ban on registered lobbyists participating on Agency Boards and Commissions if participating in their “individual capacity.” The revised guidance allows registered lobbyists to participate on Agency Boards and Commissions in a “representative capacity” for the “express purpose of providing a committee with the views of a nongovernmental entity, a recognizable group of persons or nongovernmental entities (an industry, sector, labor unions, or environmental groups, etc.) or state or local government.” For further information, refer to the OMB Guidance at 79 FR 47482.

Membership is limited to promote discussion. Attendance, active participation, and commitment by members is essential for achieving the objectives and tasks. When necessary, the ARC may set up specialized and temporary working groups that include at least one ARC member and invited subject matter experts from industry and government.

The ARC will consist of members from the aviation community. FAA and other Agency subject matter experts may be requested to participate as Observers and to provide technical support to the ARC members.

- a. At the request of the Sponsor, the Manager of Flight Technologies and Procedures Division will function as the FAA Co-Chair and will:
  - 1) Select and appoint industry and the FAA participants as members,
  - 2) Select the Industry Co-Chair from the membership of the ARC,
  - 3) Ensure FAA participation and support from all affected lines-of-business,
  - 4) Provide notification to the members of the time and place for each meeting, and
  - 5) Receive any status report and the recommendations report.
- b. The Industry Co-Chair will be appointed from the aviation community. Once appointed, the Industry Co-Chair will:
  - 1) Coordinate required ARC meetings in order to meet the objectives and timelines,
  - 2) Establish and distribute meeting agendas in a timely manner,

- 3) Keep meeting notes, if deemed necessary,
- 4) Perform other responsibilities as required to ensure the objectives are met,
- 5) Provide status reports, as requested, in writing to the FAA Co-Chair, and
- 6) Submit the recommendation report to the FAA Co-Chair and the Director of the Office of Rulemaking.

**7. PUBLIC PARTICIPATION.** Meetings are not open to the public. Persons or organizations outside the ARC who wish to attend a meeting must get approval in advance of the meeting from the Industry Co-Chair and the FAA Co-Chair.

**8. AVAILABILITY OF RECORDS.** Consistent with the Freedom of Information Act, Title 5, U.S.C., § 552, records, reports, agendas, working papers, and other documents that are made available to or prepared for or by the ARC will be available for public inspection and copying at the Office of Rulemaking, FAA Headquarters, 800 Independence Ave. SW, Washington, D.C. 20591. Fees will be charged for information furnished to the public according to the fee schedule published in Title 49 of the Code of Federal Regulations, Part 7.

You can find this charter on the FAA Committee Database website at:

[http://www.faa.gov/regulations\\_policies/rulemaking/committees/documents/](http://www.faa.gov/regulations_policies/rulemaking/committees/documents/).

**9. DISTRIBUTION.** This charter is distributed to: Office of the Associate Administrator for Aviation Safety, the Office of the Chief Counsel, the Office of Assistant Administrator for Policy, International Affairs, and Environment, and the Office of Rulemaking.

**10. EFFECTIVE DATE AND DURATION.** The ARC is effective upon issuance of this charter and will remain in existence for a maximum of 48 months, unless the charter is sooner suspended, terminated, or extended by the Administrator.

Issued in Washington, D.C. on June 8, 2018.



Daniel K. Elwell  
Acting Administrator