



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

ORDER
1110.124J

National Policy

06/01/2017

SUBJ: Commercial Space Transportation Advisory Committee Charter

1. **Committee Official Designation.** Commercial Space Transportation Advisory Committee (COMSTAC).
2. **Authority.** This discretionary committee was established under the authority of the Department of Transportation and in accordance with the provisions of the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., App. 2, as amended)
3. **Objectives and Scope.** The committee provides information, advice, and recommendations to the FAA Administrator (the Administrator) on all matters relating to U.S. commercial space transportation industry activities. The committee does not exercise program management responsibilities and makes no decisions directly affecting the programs on which it provides advice. The committee provides a forum for the development, consideration, and communication of information from a knowledgeable, independent perspective.
4. **Description of Duties.** The committee shall:
 - a. Undertake such information-gathering activities as necessary to address issues identified by the FAA for consideration by the committee, develop recommendations on those issues, and present the committee's recommendations to the Administrator.
 - b. Evaluate economic, technological, and institutional developments relating to commercial space transportation and operations and submit to the Administrator recommendations on promising new ideas and approaches for Federal policies and programs.
 - c. Provide the FAA with direct, first-hand information and insight from the substantially affected interests by exchanging ideas about FAA regulations and rulemakings that may require changes or elimination. The committee's activities must satisfy the normal rulemaking and public comment process. The FAA will disclose in the public docket any committee communication on any particular issue in a rulemaking. The FAA will include an assessment of how the communication affects the development of proposed rules in the docket or preamble of any proposed rule. The committee will undertake only those tasks assigned by the FAA. Neither the committee nor any of its working groups may assign a task without prior approval by the FAA.
 - d. Serve as a forum for the discussion of issues involving the relationship between industry activities and Federal Government requirements related to commercial space transportation and/or operations.
5. **Agency to Whom the Committee Reports.** The committee shall report to the FAA Administrator.

6. Support. The FAA Office of Commercial Space Transportation shall furnish support services for operating the committee, including maintaining committee records.

7. Estimated Annual Operating Costs and Staff Years. The estimated annual operating cost of the committee is \$65,000, which includes printing, miscellaneous, and related costs. Approximately one-half of a full-time equivalent in staff support is required to support the committee.

The Office of Commercial Space Transportation shall provide compensation for COMSTAC members for their participation on the committee, and financial support for some travel and lodging expenses. The Office of Commercial Space Transportation has budgeted approximately \$30,000 for this purpose.

8. Designated Federal Officer. The Designated Federal Officer (DFO) is a full-time or permanent part-time employee appointed in accordance with Agency procedures. The Office of Commercial Space Transportation shall designate an analyst on the staff of the office to be executive director of the committee and serve as the DFO required by FACA. In coordination with the COMSTAC chairperson and working group leadership, the DFO will call all of the advisory committee and subcommittee meetings, prepare all meeting agendas, attend all committee and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the official to whom the advisory committee reports.

9. Estimated Number and Frequency of Meetings. The committee shall meet approximately twice each calendar year, and upon the call of the chairperson, subject to the approval of the executive director of the committee who serves as the DFO. The committee may not meet in the absence of the DFO or a departmental employee designated as an alternate DFO.

- a. The chairperson or, in the absence of the chairperson, the vice-chairperson shall preside at each meeting.
- b. The committee meetings shall be open to the public, and a notice of such meetings shall be published in the Federal Register at least 15 calendar days before the meeting. The following will be included in the notice:
 - (1) The name of the advisory committee (or subcommittee);
 - (2) The time, date, place, and purpose of the meeting;
 - (3) A summary of the agenda, and/or topics to be discussed;
 - (4) A statement whether all or part of the meeting is open to the public or closed; if the meeting is closed, state the reasons why, citing the specific exemptions of the Government in the Sunshine Act, 5 U.S.C. 552b(c), as the basis for closure; and
 - (5) The name and telephone number of the DFO or other responsible Agency official who may be contacted for additional information concerning the meeting.

The notice should be delivered to the Office of the Chief Counsel, AGC-200, at least 30 days before the meeting. The Chief Counsel's office sends the notice to the Federal Register. Other forms of the notice, such as press releases, are to be used to the extent practicable. Meetings or portions of meetings may be closed to the public in accordance with the provisions described in Paragraph 15, Public Participation.

- c. Detailed minutes of each meeting shall be kept and certified by the chairperson of the committee. The minutes shall contain the following:
 - (1) The time, date, and place of the meeting;
 - (2) A list of those present at the meeting, including committee members and staff, Agency employees, and members of the public who presented oral or written statements;
 - (3) An accurate description of each matter discussed and conclusions reached; and
 - (4) Copies of each report or other document received, issued, or approved by the committee at the meeting.
- d. The minutes, as certified by the chairperson of the committee, shall be available for public inspection and copying in the office of the sponsor. They will also be published on the COMSTAC Web site. Public availability of minutes or other documents received or generated by the committee are subject to applicable exemptions prescribed in the Freedom of Information Act (FOIA), 5 U.S.C. 552(b).
- e. Copies of all reports received, issued, or approved by the committee shall be distributed at the meeting to committee members and meeting attendees and placed on the AST Web site: http://www.faa.gov/about/office_org/headquarters_offices/ast/advisory_committee/ >> COMSTAC Meeting Information.

10. Duration. Continuing.

11. Termination. The committee shall terminate 2 years after this date unless, prior to that time, the charter is terminated or renewed.

12. Membership.

- a. The committee shall be composed of approximately 25 members, each of whom shall be appointed by the Secretary upon recommendation of the Administrator. The membership shall be fairly balanced in terms of points of view represented and the functions to be performed by the committee. To ensure that the recommendations of the committee have taken into account the needs of diverse groups served by the FAA, membership shall include, to the extent practicable, individuals and/or organizations to represent minorities, women, and persons with disabilities.
- b. All members will serve a 2-year term, with each member eligible to be reappointed for a successive term. Members appointed solely for their expertise serve as Special Government Employees, those serving on behalf of specific interests will serve as

Representatives. Terms shall be staggered with approximately one-half expiring each year.

- c. Any person appointed to fill a vacancy occurring before the expiration of the term for which his or her predecessor was appointed shall be appointed for the remainder of such term. Members shall continue to serve until their replacement has been appointed.
- d. A chairperson shall be appointed from among the membership by the FAA Administrator after recommendation by the FAA Associate Administrator for Commercial Space Transportation. A vice-chairperson shall be appointed from among the membership by the FAA Associate Administrator for Commercial Space Transportation.
- e. Members may not be represented at committee meetings and activities by alternates.

13. Subcommittees. The FAA has the authority to create subcommittees, working groups, or task forces within COMSTAC. These entities report to COMSTAC. They do not provide advice or work products directly to the FAA. The existing COMSTAC working groups are:

- a. International Space Policy Working Group
- b. Standards Working Group
- c. Business/Legal Working Group
- d. Operations Working Group

14. Recordkeeping. Records of the committee and any of its working groups shall be handled in accordance with General Records Schedule 6.2 or other approved FAA records disposition schedule. Subject to FOIA, records, transcripts, minutes, appendices, working papers, drafts, studies, agendas, and other documents that are made available to, or prepared for or by, the committee shall be available for public inspection and copying in the Office of the Associate Administrator for Commercial Space Transportation (AST-1), 800 Independence Avenue, SW., Washington, DC 20591. Fees shall be charged for information furnished to the public in accordance with the fee schedule published in Part 7 of the Title 49, Code of Federal Regulations.

15. Filing Date. The charter is effective June 28, 2017, which is the filing date of the charter.



Michael P. Huerta
Administrator