

Charter of the Aviation Rulemaking Advisory Committee

1. Committee's Official Designation. Aviation Rulemaking Advisory Committee (ARAC).

2. Authority. The discretionary committee was established under the authority of the U.S. Department of Transportation (DOT) and in accordance with the provisions of the Federal Advisory Committee Act (FACA) of 1972, as amended (Title 5 of the United States Code (5 U.S.C., App. 2)).

3. Objective and Scope of Activities. ARAC provides information, advice, and recommendations to the Secretary of Transportation, through the Federal Aviation Administration (FAA) Administrator, concerning rulemaking activities, such as aircraft operations, airman and air agency certification, airworthiness standards and certification, airports, maintenance, noise, and training. ARAC does not exercise program management responsibilities and makes no decisions directly affecting the programs on which it provides advice. ARAC provides a forum for the development, consideration, and communication of information from a knowledgeable, independent perspective. The activities of ARAC will not circumvent the requirements of the Administrative Procedure Act, 5 U.S.C. § 553.

4. Description of Duties.

- a. ARAC will undertake only tasks assigned to it by FAA.
- b. ARAC will provide the FAA direct, first-hand information, advice, and recommendations by meeting and exchanging ideas on the tasks assigned.
- c. Respond to ad-hoc informational requests from FAA.

5. Agency or Official to Whom the Committee Reports. The committee shall report to the Secretary of Transportation through the FAA Administrator.

6. Support. The FAA's Office of Rulemaking will provide support services for ARAC, including maintaining committee records.

7. Estimated Annual Operating Costs and Staff Years. The estimated annual operating cost (including *pro rata* share of salaries, benefits, and travel cost of DOT employees) is \$563,000. ARAC will require the support of approximately 3.8 full-time equivalent employees per year.

8. Designated Federal Officer.

- a.** The Executive Director of the Office of Rulemaking (ARM-1) (or designee), a full-time or permanent part-time employee appointed in accordance with agency procedures, will serve as the ARAC Designated Federal Officer (DFO).
- b.** The DFO (or designee) will:
 - (1) Ensure compliance with FACA and any other applicable laws and regulations;
 - (2) Call and attend all meetings of ARAC and subcommittees, as applicable, and determine where they are to be held;
 - (3) Formulate and approve an agenda for each ARAC meeting, in consultation with the ARAC Chairperson;
 - (4) Notify all ARAC members of the time, place, and agenda for ARAC meetings;
 - (5) Chair meetings when directed to do so by the Secretary of Transportation, through the FAA Administrator;
 - (6) Maintain all files and records; and
 - (7) Adjourn any ARAC meetings when doing so would be in the public interest.

9. Estimated Number and Frequency of Meetings.

- a.** ARAC estimates meeting three times annually to manage administrative issues and address FAA-assigned tasks. Each meeting of ARAC will be open to the public, except as provided under Section 10(d) of FACA, as implemented by 41 CFR part 102-3\.

10. Duration. Continuing, subject to renewal every 2 years.

11. Termination. This charter terminates 2 years after its effective date, unless renewed in accordance with FACA and other applicable requirements.

12. Membership and Designation.

- a.** ARAC shall comprise of members appointed by the U.S. Secretary of Transportation upon recommendation by the FAA Administrator.
- b.** ARAC consists of no more than 30 members. Members represent organizations directly and indirectly impacted by FAA regulations (e.g., aircraft owners and operators, airmen and flight crewmembers, airports, aircraft maintenance providers, aircraft manufacturers, public citizen and passenger groups, training providers, and labor organizations). To ensure the recommendations of ARAC have taken into account the needs of diverse

groups served by FAA, membership includes, to the extent practicable, individuals and/or organizations that represent minorities, women, and persons with disabilities. The designated organizations provide balanced membership in terms of knowledge, expertise, and points of view of interested parties relative to ARAC's tasks.

- c. Member representatives are appointed for a 2-year term, but may continue to serve until their replacement is chosen. Members may be reappointed. There are no other term limits for ARAC members. Members appointed solely for their expertise serve as Special Government Employees; those serving on behalf of specific interests will serve as Representatives.
- d. Members of ARAC serve without compensation. Transportation and per diem expenses may be paid when necessary and appropriate.

13. Subcommittees. FAA, in consultation with ARAC, may create subcommittees to work on tasks assigned by FAA. Subcommittees address a specific technology or segment of the aviation industry. A subcommittee may be established when the FAA determines that tasks needing the same technical or industry expertise will be assigned to ARAC.

Subcommittees must not work independently of the ARAC. They must submit their work product to ARAC (rather than directly to FAA). ARAC will deliberate, discuss, and vote on whether to submit a recommendation report to FAA.

14. Recordkeeping. The records of ARAC are handled in accordance with National Archives and Records Administration (NARA) General Records Schedule 6.2. 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 prepared for or by, ARAC will be available for public inspection and copying at the Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC, 20591. FAA will charge a fee for information furnished to the public in accordance with the fee schedule published in 49 CFR part 7. ARAC records are also located on FAA's committee public website.

15. Filing Date. This charter is effective September 14, 2020, which is the filing date of this Charter.