



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

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 PARC is the Executive Director of the Flight Standards Service. This Charter outlines the PARC'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 evolution of the National Airspace System (NAS). To meet this commitment, the FAA must address the 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 regulatory criteria and guidance materials are inadequate or nonexistent, the FAA will need to address these deficiencies. Issues under review by the PARC include:
 - a. Expedient 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) found in today's large base of qualified aircraft.
 - f. Supporting the reduction of controlled flight into terrain 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. Establishing a practical means for prioritizing, directing, and facilitating new criteria and implementation to realize increased operational and safety benefits provided by evolving technologies and potential equipment upgrades.

- 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 PARC. The PARC will provide a forum for the U.S. aviation community to discuss, prioritize, and resolve issues including the ones listed above; provide direction for U.S. flight operations criteria; support the FAA NAS modernization plans; and produce U.S. consensus positions for global harmonization.

4. TASKS OF THE PARC. The PARC's current tasks are:

- a. Develop means to implement improvements in 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. PARC PROCEDURES.

- a. The PARC acts solely in an advisory capacity by advising and providing written recommendations to the FAA Co-Chair.
- b. The PARC may propose related follow-on tasks outside the stated scope of the PARC to the FAA Co-Chair.

- c. The PARC 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. PARC ORGANIZATION, MEMBERSHIP, AND ADMINISTRATION.

The FAA will set up the PARC, which will comprise of members of the aviation community. The FAA will select members based on their familiarity and experience with performance-based airspace operations analysis and regulatory compliance. Membership will be balanced in viewpoints and interests. All members must have knowledge of the PARC'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), continue 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 are essential for achieving the objectives and tasks. When necessary, the PARC may set up specialized and temporary working groups that include at least one PARC member and invited subject matter experts from industry and government.

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

- a. At the request of the Sponsor, the Manager of Flight Technologies and Procedures Division will serve 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 PARC membership,
 - 3) Ensure FAA participation and support from all affected lines-of-business,
 - 4) Notify PARC members of the time and place for each meeting, and
 - 5) Receive any status report and the recommendation report.
- b. Once appointed, the Industry Co-Chair will:
 - 1) Coordinate required PARC meetings in order to meet the PARC's 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 written status reports to the FAA Co-Chair, as requested, 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 PARC 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.** Subject to applicable Freedom of Information Act Exemptions pursuant to Title 5, U.S.C., § 552, the FAA will make records provided by the PARC to the FAA available for public inspection and copying. Available records will be located at the Office of Flight Standards Service, FAA Headquarters, 800 Independence Ave. SW, Washington, D.C. 20591. Fees may 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/.
9. **DISTRIBUTION.** This Charter is distributed to the 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 PARC is effective upon issuance of this Charter and will remain in existence for a maximum of 48 months unless the Charter is suspended, terminated, or extended by the Administrator.

Issued in Washington, D.C., on May 23, 2022.



Billy Nolen
Acting Administrator