

**Charter of the Aviation Rulemaking Advisory Committee U.S.
Department of Transportation**

- 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 the 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 \$315,000. 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. ARAC estimates meeting three times annually to 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 two (2) years.

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

12. Membership and Designation.

- a. ARAC shall comprise 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 with lived experience and knowledge of the needs of underrepresented groups. The designated

representative members 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.
- e. Members shall not reference or otherwise utilize their membership on the Committee in connection with public statements made in their personal capacities without a disclaimer that the views expressed are their own and do not represent the views of the Committee, the Federal Aviation Administration (FAA), or the Department of Transportation.

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, 2022, which is the filing date of this Charter.

Membership Balance Plan

(1) FEDERAL ADVISORY COMMITTEE NAME

Aviation Rulemaking Advisory Committee (ARAC)

(2) AUTHORITY

ARAC is established under the FAA's authority, Title 5 of the United States Code (5 U.S.C.) App. 2.

(3) MISSION/FUNCTION

ARAC provides information, advice, and recommendations to the FAA concerning rulemaking activity, to include, but not limited to, aircraft operations, airman and air agency certification, airworthiness standards and certification, airports, maintenance, noise, and training. The ARAC affords the FAA added opportunities to obtain direct, first-hand information and insight from the substantially affected interests, meeting together and exchanging ideas about proposed rules and existing rules that should be added, revised, or withdrawn. This advice will result in a more efficient rulemaking process.

(4) POINTS OF VIEW

- (a) ARAC's membership covers various segments of the aviation community: aircraft owners and operators, airmen and flight crewmembers, organizations representing airports, manufacturers, maintenance providers, public citizen and passenger groups, and training providers. In addition to these segments, government entities also take part in meetings. Associations and organizations will act as representatives of each of the aforementioned segments of the aviation community. These associations and organizations were selected based on their represented interests.
- (b) The amount of representation for each industry segment is based on the number of organizations and associations that address that area. The organization and association make-up was considered to ensure the aviation community is adequately represented.
- (c) ARAC has representative members because they represent a segment of the industry.

(5) OTHER BALANCE FACTORS

Another factor considered in selecting the ARAC membership is diversity in work sector (e.g., private industry, academia, trade associations, and FAA employee labor representatives).

(6) CANDIDATE IDENTIFICATION PROCESS

- (a) The ARAC Designated Federal Officer (the Executive Director of the Office of Rulemaking) is involved in determining the membership balance.
- (b) Vacancies may be filled by soliciting nominations for membership on ARAC.
- (c) The Secretary will make every effort to appoint members who have the technical expertise required to meet Departmental needs and in a manner to ensure an appropriate balance of membership. The selection of committee members will be consistent with achieving the greatest impact, scope, and credibility among diverse stakeholders. Membership on the Committee is to be open to all people otherwise qualified regardless of race, religion, sex, sexual orientation, gender identity, national origin, age, or disability; this being said, we encourage applicants from these groups as we seek as diverse a talent pool as possible.
- (d) The Chairperson and Vice Chairperson have a two-year term limit. Upon the expiration of the Chairperson's term limit, the Vice Chairperson typically becomes the Chairperson and a committee member is appointed by the FAA to the Vice Chairperson position. While members are appointed for two-year terms, they may continue to serve until reappointed or replaced.

(7) SUBCOMMITTEE AND WORKING GROUP BALANCE

Subcommittee and working groups will be balanced according to the criteria discussed in paragraphs 4 and 5. A truncated selection process may be implemented.

(8) OTHER

No additional information.

(9) DATE PREPARED/UPDATED

This Membership Balance Plan was prepared initially on April 17, 2012, and will be updated in conjunction with the charter every two years. The most recent update was completed September 14, 2022.