

Charter of the NextGen Advisory Committee

U.S. Department of Transportation

1. **Committee's Official Designation.** NextGen Advisory Committee (NAC).
2. **Authority.** The Committee is established under the authority of the United States Department of Transportation (DOT), in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, Pub. L. 92-463, 5 U.S.C. Ch.10. The Secretary of Transportation has determined that the use of the Committee is in the public interest.
3. **Objective and Scope of Activities.** The objective of the NAC is to provide independent advice and recommendations to the Federal Aviation Administration (FAA) and to respond to specific taskings received directly from the FAA. The advice, recommendations, and taskings relate to concepts, requirements, operational capabilities, the associated use of technology, and related considerations to operations that affect the future of the Air Traffic Management System and the integration of new technologies. In addition, the NAC recommends consensus-driven advice for the FAA consideration relating to Air Traffic Management System modernization, which FAA may adopt.
4. **Description of Duties.** The objective of the NAC is to advise the FAA, using consensus-based meeting methodologies, on (1) investment priorities, (2) NextGen priorities and performance analyses reports, (3) trajectory-based operations deployment and planning consistent with the FAA's NextGen Vision, and (4) ad hoc taskings received directly from the FAA. The NAC will act solely in an advisory capacity and will not exercise program management responsibilities. Decisions directly affecting implementation of transportation policy will remain with the FAA Administrator and the Secretary of Transportation.
5. **Agency or Official to Whom the Committee Reports.** The NAC reports to the Secretary of Transportation through the FAA Administrator.
6. **Support.** The FAA Office of NextGen will provide support as consistent with the FACA, including funding for the Committee and maintaining committee records.
7. **Estimated Annual Operating Costs and Staff Years.** The FAA's annual operating costs to support the NAC for the period and scope specified by the charter will not exceed \$750,000, including the salary and benefits of 1.0 full-time equivalent.
8. **Designated Federal Officer.** The FAA Administrator, on behalf of the Secretary of Transportation, will appoint a full-time or permanent part-time Federal employee to serve as the NAC Designated Federal Officer (DFO) (or designee). The NAC DFO or designee will ensure that administrative support is provided for all activities. The Designated Federal Officer or designee will:
 - a. Call and attend all the committee and subcommittee meetings.

- b. Formulate and approve all committee and subcommittee agendas.
 - c. Adjourn any meeting when doing so would be in the public interest.
 - d. Chair meetings when directed to do so by the official to whom the advisory committee reports.
9. **Estimated Number and Frequency of Meetings.** The FAA estimates the committee will meet approximately three times per year to carry out its responsibilities.
10. **Duration.** Continuing.
11. **Termination.** The charter will terminate two years after its effective date unless renewed in accordance with FACA and other applicable requirements or terminated at an earlier date. If the NAC is terminated, the FAA will provide as much notice as possible of such action to all participants.
12. **Membership and Designation.** The FAA will submit recommendations for membership to the Secretary of Transportation, who will appoint members to the NAC. All NAC members serve at the pleasure of the Secretary of Transportation and may be replaced at any time for any reason, including non-participation.
- a. The NAC shall comprise no more than 30 members, with at least one member from each sector of the aviation community, including manufacturers of aircraft and aircraft systems; airports; air traffic management system suppliers; labor safety representatives; general aircraft, cargo, and fleet operators; and others associated with the aviation community.
 - b. To ensure that the NAC is fairly balanced and that multiple perspectives are represented, more than one member may be appointed per represented sector. Membership selection will be based on materials submitted and in a manner that ensures equal opportunity for all people consistent with all Federal anti-discrimination laws that prohibit discrimination on the basis of race, color, religion, sex, gender identity, sexual orientation, national origin, disability or age. Membership solicitation will be undertaken in a manner that encourages participation by members of underrepresented and underserved communities in accordance with Executive Order 13985.
 - c. The Chairperson of the NAC shall be designated by the Secretary from among the individuals appointed to the NAC.
 - d. Members' terms shall commence when they are appointed by the Secretary.
 - e. Members may serve as representatives, Special Government Employees (SGEs) or Regular Government Employees (RGEs). Individuals will be appointed as representatives if they will represent a particular interest of employment, education, experience, or affiliation with a specific aviation-related organization. Representative

and SGE members will serve without charge, and without government compensation.

f. Federal employee members will serve as RGEs.

g. Members appointed solely for their expertise will serve as SGEs.

13. **Subcommittees.** The FAA Administrator has the authority to create and dissolve subcommittees, as needed. Subcommittees and their respective working groups will not work independently of the NAC. They provide recommendations and advice to the NAC, not the FAA, for deliberation, discussion, and approval.

14. **Recordkeeping.**

- a. The records of the committee and subcommittee will be handled in accordance with the General Records Schedule 6.2 or other approved agency records disposition schedules.
- b. These records will be available for public inspection and copying, 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 provided for or by the NAC are available for public inspection at https://www.faa.gov/about/office_org/headquarters_offices/ang/nac/

15. **Filing Date.** This charter is effective June 15, 2024, the date on which it was filed with Congress.