



U.S. Department of Transportation Federal Aviation Administration

Charter of the Organization Designation Authorizations for Transport Airplanes Expert Review Panel

- 1. Review Panel's Official Designation.** Organization Designation Authorizations for Transport Airplanes Expert Review Panel.
- 2. Authority.** The Organization Designation Authorizations (ODA) Expert Review Panel ("Review Panel") is established pursuant to section 103, "Expert Review of Organization Designation Authorizations for Transport Airplanes," of the Aircraft Certification, Safety, and Accountability Act, Pub. L. 116-260, Div. V, § 103 ("the Act"). In accordance with section 103(a)(6)(D), the Federal Aviation Administration (FAA) will not operate the Review Panel under the provisions of the Federal Advisory Committee Act of 1972, as amended (5 U.S.C., App.2).
- 3. Objectives and Scope of Activities.** For each holder of an ODA for the design and production of transport airplanes (transport airplanes as defined in section 137(6) of the Act), the Review Panel will review the following:
 - a.** The extent to which the holder's safety management processes promote or foster a safety culture consistent with the principles of the International Civil Aviation Organization Safety Management Manual, Fourth edition (ICAO Doc. No. 9859) or any similar successor document.
 - b.** The effectiveness of measures instituted by the holder to instill among employees and contractors of such holder that support organization designation authorization functions, a commitment to safety above all other priorities.
 - c.** The holder's capability, based upon the organizational structures, requirements applicable to officers and employees of such holder, and safety culture, of making reasonable and appropriate decisions regarding functions delegated to the holder pursuant to the organization designation authorization.
 - d.** Any other matter determined by the Administrator for which inclusion in the review would be consistent with the public interest in aviation safety.
- 4. Description of Duties.** The Review Panel shall:
 - a.** Make recommendations to the Administrator regarding suggested actions to address any deficiencies found after review of the matters listed in paragraph 3.
 - b.** Not later than 270 days after the date of the first meeting of the Review Panel, create a report documenting the findings and resulting recommendations from paragraphs 3 and 4a. The report shall be submitted to the Administrator and the Congressional

committees of jurisdiction. In accordance with section 103(a)(5) of the Act, the report shall include:

- i. only such findings endorsed by 10 or more individual members of the Review Panel; and
 - ii. only such recommendations described in paragraph 4a endorsed by 18 or more individual members of the Review Panel.
- c. In submitting the report required in 4b, the Review Panel shall append to such report the dissenting views of any individual members or group of members regarding the findings or recommendations of the Review Panel.

5. Agency or Official to whom the Review Panel reports. The Review Panel reports to the Administrator or Designee.

6. Review Panel Procedures.

- a. The Review Panel acts solely in an advisory capacity by advising and providing written findings and recommendations in accordance with section 103 of the Act.
- b. Consistent with section 103(a)(6)(A) of the Act the Review Panel shall have the authority to perform the following actions if a majority of the total number of Review Panel members consider each action necessary and appropriate:
 - i. Entering onto the premises of an ODA holder referenced in paragraph 3 for access to and inspection of records or other purposes.
 - ii. Notwithstanding any other provisions of law, accessing and inspecting unredacted records directly necessary for the completion of the Review Panel's work under this section that are in the possession of the ODA holder or the FAA.
 - iii. Interviewing employees of the ODA holder or the FAA as necessary for the Review Panel to complete its work.

7. Review Panel Membership and Administration.

- a. Review Panel Membership:
 - i. The Administrator or Designee shall establish a panel of members from the aviation community. The Review Panel shall consist of 24 members as outlined in section 103(a)(3) of the Act.
 - ii. Each individual member of the Review Panel must execute a Disclosure of Financial Interests agreement with the Administrator as outlined in section 103(a)(6)(B) prior to the first meeting of the Panel.

- iii. Non-Federal government members of the Review Panel must execute a Non-Disclosure Agreement with the Administrator, as outlined in section 103(a)(6)(C)(ii), prior to the first meeting of the Review Panel.

b. Panel Administration:

- i. The Administrator or Designee shall select an FAA Executive Sponsor. The Executive Sponsor shall have overall responsibility for Review Panel activities and performance, including the submission of any report in accordance with section 103(a)(5) to the Administrator and the Congressional committees of jurisdiction.
- ii. The FAA Co-Chair will be selected by the Executive Sponsor. Once selected, the FAA Co-Chair will:
 - A. Select the non-FAA Co-Chair from the Review Panel membership as appointed by the Administrator or Designee;
 - B. Ensure FAA participation and support from all affected FAA organizations;
 - C. Receive any status report and the recommendations report from the Panel;
 - D. Submit the recommendations report to the FAA Executive Sponsor on behalf of the Review Panel;
 - E. Coordinate the Review Panel's activities with Transport Airplane ODA holders; and
 - F. Coordinate in accordance with section 103(a)(6)(C)(v) of the Act, the resolution of any disagreement regarding the proper classification of information.
- iii. The non-FAA Co-Chair will be appointed from the Review Panel membership. Once appointed, the non-FAA Co-Chair will:
 - A. Coordinate required Panel meetings in order to meet the objectives and timelines;
 - B. Establish and distribute meeting agendas in a timely manner;
 - C. Provide notification to the members of the time and place for each meeting;
 - D. Keep meeting notes;
 - E. Perform other responsibilities as required to ensure the objectives are met;
 - F. Provide status reports, as requested, in writing to the FAA Co-Chair; and
 - G. Submit the recommendations report to the FAA Co-Chair for final submission to the FAA Executive Sponsor.

8. Review Panel Schedule and Duration.

- a. The Review Panel will decide meeting mode and frequency based on task requirements.
- b. The Review Panel shall terminate on the date of submission of the report.

9. Public Participation. In accordance with section 103(a)(6)(D) of the Aircraft Certification Safety and Accountability Act, Public Law 92-463 is not applicable to the

Review Panel. Meetings are not open to the public. Persons or organizations outside the Review Panel who wish to attend a meeting must get approval in advance of the meeting from the Co-Chairs.

- 10. Distribution.** This charter is distributed to executive director-level management in the Office of the Associate Administrator for Aviation Safety, the Office of the Chief Counsel, the Office of Aviation Policy and Plans, and the Office of Rulemaking.

Issued in Washington, D.C. on September 7, 2022.

A handwritten signature in black ink, appearing to read 'D. Boulter', with a long horizontal flourish extending to the right.

David H. Boulter
Acting Associate Administrator for Aviation Safety