



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

ORDER
1110.124G

National Policy

11/17/2010

SUBJ: Commercial Space Transportation Advisory Committee

1. **Purpose of This Order.** This order constitutes the charter for the Commercial Space Transportation Advisory Committee (COMSTAC).
2. **Authority.** The COMSTAC operates in accordance with the provisions of the Federal Advisory Committee Act (FACA) as amended, 5 U.S.C. App.
3. **Where Can the Public Find This Order.** This order will be published on the FAA Web site: http://www.faa.gov/regulations_policies/orders_notices/. It will also be published on the Commercial Space Transportation COMSTAC Web site: http://www.faa.gov/about/office_org/headquarters_offices/ast/advisory_committee/
4. **Cancellation.** Order 1110.124F, Commercial Space Transportation Advisory Committee, dated October 1, 2008, is canceled.
5. **Objectives and Scope.** The committee provides information, advice, and recommendations to the Federal Aviation Administration (FAA) Administrator (the Administrator) on all matters relating to U.S. commercial space transportation industry activities. The committee does not exercise program management or regulatory development responsibilities and makes no decisions directly affecting the programs on which it provides advice. The committee provides a forum for the development, consideration, and communication of information from a knowledgeable, independent perspective.
6. **Description of Duties.** The committee shall:
 - a. Undertake such information-gathering activities as necessary to address issues identified by the FAA for consideration by the committee, develop recommendations on those issues, and present the committee's recommendations to the Administrator.
 - b. Evaluate economic, technological, and institutional developments relating to commercial space transportation and submits to the Administrator recommendations on promising new ideas and approaches for Federal policies and programs.
 - c. Serve as a forum for the discussion of problems involving the relationship between industry activities and Federal Government requirements.
7. **Agency to Whom the Committee Reports.** The committee shall report to the FAA Administrator.

8. Support. The FAA Office of Commercial Space Transportation shall furnish support services for operating the committee, including maintaining committee records.

9. Estimated Annual Operating Costs and Staff Years. The estimated annual operating cost of the committee is \$45,000, which includes printing, miscellaneous, and related costs. Approximately 0.5 person years are required to support the committee.

Additionally, the Office of Commercial Space Transportation shall provide compensation for COMSTAC members for their participation on the committee, and financial support for some travel and lodging expenses. The Office of Commercial Space Transportation has budgeted approximately \$30,000 for this purpose.

10. Designated Federal Officer. The Office of Commercial Space Transportation shall designate an analyst on the staff of the office to be executive director of the committee and serve as the Designated Federal Officer (DFO) required by the Federal Advisory Committee Act. The DFO will approve or call all of the advisory committee's or subcommittee's meetings, prepare and approve all meeting agendas, attend all committee and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the official to whom the advisory committee reports.

11. Estimated Number and Frequency of Meetings. The committee shall meet approximately once each calendar year, and upon the call of the chairperson, subject to the approval of the executive director of the committee who serves as the DFO. The committee may not meet in the absence of the DFO or a departmental employee designated as an alternate DFO.

- a. The chairperson or, in the absence of the chairperson, the vice-chairperson shall preside at each meeting.
- b. The committee meetings shall be open to the public, and a notice of such meetings shall be published in the Federal Register at least 15 calendar days before the meeting. The proposed agenda, as well as the time and place of the meeting and information that the meeting will be open to the public, should be included in the notice. The notice should be delivered to the Office of the Chief Counsel, AGC-200, at least 30 days before the meeting. The Chief Counsel's office sends the notice to the Federal Register. Other forms of the notice, such as press releases, are to be used to the extent practicable. Meetings or portions of meetings may be closed to the public in accordance with the provisions described in Paragraph 15. Public Participation.
- c. Detailed minutes of each meeting shall be kept and certified by the chairperson of the committee. The minutes shall contain the following:
 - (1) The time and place of the meeting.
 - (2) A list of committee members and staff and agency employees present.
 - (3) A complete description of matters discussed and conclusions reached.

- (4) A description of public participation, including a list of the members of the public who presented oral or written statements.
- (5) A description of public statements.
- d. The minutes, as certified by the chairperson of the committee, shall be available for public inspection and copying in the office of the sponsor. They will also be published on the Commercial Space Transportation COMSTAC Web site. Public availability of minutes or other documents received or generated by the committee are subject to applicable limitations and exceptions prescribed in the Freedom of Information Act, 5 U.S.C. 552 (b).
- e. Copies of all reports received, issued, or approved by the committee shall be distributed at the meeting to committee members and meeting attendees and placed on the AST Web site: http://www.faa.gov/about/office_org/headquarters_offices/ast/advisory_committee/ >> COMSTAC Meeting Information.

12. Duration. Continuing.

13. Membership. The committee shall be composed of approximately 25 members, each of whom shall be appointed by the Secretary upon recommendation of the Administrator. The membership shall be fairly balanced in terms of points of view represented and the functions to be performed by the committee. To ensure that the recommendations of the committee have taken into account the needs of diverse groups served by the FAA, membership shall include, to the extent practicable, individuals and/or organizations to represent minorities, women, and persons with disabilities.

All members will serve as Representatives for a 2-year term, with each member eligible to be reappointed for a successive term. Terms shall be staggered with approximately one-half expiring each year. Any person appointed to fill a vacancy occurring before the expiration of the term for which his or her predecessor was appointed shall be appointed for the remainder of such term. Members shall continue to serve until their replacement has been appointed.

- a. A chairperson shall be appointed from among the membership by the FAA Administrator after recommendation by the FAA Associate Administrator for Commercial Space Transportation. A vice-chairperson shall be appointed from among the membership by the FAA Associate Administrator for Commercial Space Transportation.
- b. Members may be represented at committee meetings and activities by alternates representing the same interest as the member. Selection of an alternate must be approved by the FAA Administrator before the meeting. This approval will be valid for only one meeting or activity, including any continuation of that meeting or activity.


14. Subcommittees. The FAA has the authority to create subcommittees or working groups within COMSTAC. These working groups report to COMSTAC. They do not provide advice or work products directly to the FAA.

15. Public Participation. Each committee meeting shall be open to the public, and interested persons shall be permitted to attend and appear before the committee, subject to

reasonable limitations of space and time. Meetings may be closed to the public only as authorized by Section 10(d) of the Federal Advisory Committee Act, as amended, and applicable regulations. Any such determination shall be in writing and contain the reasons for the determination. If such a determination is made, the advisory committee shall issue a report at least annually setting forth a summary of its activities and such related matters as would be informative to the public consistent with Section 552(b) of Title 5, United States Code. Interested persons may file written statements with the committee at any time.

16. Recordkeeping. Records of the committee and any of its working groups shall be handled in accordance with General Records Schedule 26, Item 2 or other approved FAA records disposition schedule. Subject to Section 552 of Title 5 U.S. Code, records, transcripts, minutes, appendices, working papers, drafts, studies, agendas, and other documents that are made available to, or prepared for or by, the committee shall be available for public inspection and copying in the Office of the Associate Administrator for Commercial Space Transportation (AST-1), 800 Independence Avenue, SW, Washington, DC 20591. Fees shall be charged for information furnished to the public in accordance with the fee schedule published in Part 7 of the Title 49, Code of Federal Regulations.

17. Filing Date. The charter is effective November 17, 2010, which is the filing date of the charter. The committee shall terminate 2 years after this date unless, prior to that time, the charter is terminated or renewed.


J. Randolph Babbitt
Administrator