

**CHARTER OF THE AIR CARRIER ACCESS ACT ADVISORY COMMITTEE
U.S. DEPARTMENT OF TRANSPORTATION**

1. **COMMITTEE'S OFFICIAL DESIGNATION**: The committee's official designation is the Air Carrier Access Act Advisory Committee (ACAA Advisory Committee).
2. **AUTHORITY**: Section 439 of the FAA Reauthorization Act of 2018, Pub. L. No. 115-254, 132 Stat. 3186 (2018), requires the establishment of an advisory committee on issues related to the air travel needs of passengers with disabilities. The ACAA Advisory Committee is also established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. ch. 10.
3. **OBJECTIVES AND SCOPE OF ACTIVITIES**: The ACAA Advisory Committee will advise the Secretary of Transportation on issues related to the needs of passengers with disabilities in air travel.
4. **DESCRIPTION OF DUTIES**: The ACAA Advisory Committee will carry out the following tasks:
 - (a) Advise the Secretary on the implementation of the Air Carrier Access Act, 49 U.S.C. § 41705;
 - (b) Identify and assess the existing and emerging disability-related access barriers for passengers with disabilities;
 - (c) Evaluate the extent to which the programs and activities of the Department of Transportation are addressing the disability-related access barriers identified in section 4(b);
 - (d) Recommend consumer protection improvements to the air travel experience of passengers with disabilities;
 - (e) Submit a report to the Secretary on whether the current regulations, programs and activities of the Department are addressing existing disability-related access barriers encountered by air travelers with disabilities; and
 - (f) Conduct other activities determined to be necessary or appropriate by the Secretary.
5. **OFFICIALS TO WHOM THE COMMITTEE REPORTS**: The ACAA Advisory Committee shall report to the Secretary of Transportation through the General Counsel.
6. **SUPPORT**: The Department's Office of the General Counsel will sponsor the ACAA Advisory Committee.

7. **ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS:** The estimated annual cost to the Government is \$142,560. The ACAA Advisory Committee will require the support of approximately 0.7 full-time DOT employee.

8. **DESIGNATED FEDERAL OFFICER (DFO):**

(a) The Assistant General Counsel for the Office of Aviation Consumer Protection, or designee, will serve as the Designated Federal Officer (DFO) for the ACAA Advisory Committee.

(b) The DFO, or designee, approves or calls all of the ACAA Advisory Committee and subcommittee meetings, develops and approves the agenda in advance of consultation with the Chairperson, and must be present at each ACAA Advisory Committee and subcommittee meeting. The DFO chairs meetings when directed to do so by the Secretary and has the authority to adjourn meetings whenever such action is deemed to be in the public interest. The DFO works with the Chairperson to maintain order.

9. **MEETINGS:**

(a) Frequency: It is anticipated that the ACAA Advisory Committee will meet at least twice during a 12-month period following the ACAA Advisory Committee's establishment. Additional meetings and subcommittee meetings may be called as necessary.

(b) Voting: A quorum must exist for any official action, including voting on a recommendation, to occur. A quorum exists whenever 75% of the appointed members are present. In any situation involving voting, the majority vote of members present will prevail, but the views of the minority will be reported as well. If there is no majority vote, the result 'No Consensus' must be reported, followed by the views of each voting faction.

10. **DURATION:** Continuing.

11. **TERMINATION:** This charter shall terminate two years from its filing date unless otherwise renewed in accordance with FACA.

12. **MEMBERSHIP AND DESIGNATION:**

(a) The ACAA Advisory Committee shall be composed of no more than 25 members with at least one member from each of the following groups:

- i. Passengers with disabilities;
- ii. National disability organizations;
- iii. Air carriers;
- iv. Airport operators;

- v. Contractor service providers;
 - vi. Aircraft manufacturers;
 - vii. Wheelchair manufacturers;
 - viii. National veterans' organizations representing disabled veterans; and
 - ix. Labor organizations representing flight attendants, pilots, contract service providers and/or airport workers.
- (b) The Chairperson of the ACAA Advisory Committee shall be designated by the Secretary from among the individuals appointed to the ACAA Advisory Committee.
- (c) To ensure that the ACAA Advisory Committee is fairly balanced and that multiple perspectives are represented, more than one member may be appointed per group. Additionally, to the extent practicable, the membership of the ACAA Advisory Committee shall include persons of diverse backgrounds in race, ethnicity, religion, and gender.
- (d) Members' terms shall commence when they are appointed by the Secretary.
- (e) Members serve at the pleasure of the Secretary and may be replaced at any time for any reason, including non-participation.
- (f) A vacancy in the ACAA Advisory Committee shall be filled in the manner in which the original appointment was made.
- (g) Members of the ACAA Advisory Committee shall serve without pay but may receive travel and per diem expenses in accordance with 5 U.S.C., chapter 57, subchapter I.
- (h) Members appointed solely for their expertise shall serve as special government employees.

13. **SUBCOMMITTEES:**

- (a) The General Counsel may establish subcommittees to perform specific assignments.
- (b) Subcommittees shall not work independently of the chartered ACAA Advisory Committee and shall report all of their recommendations and advice to the full ACAA Advisory Committee for deliberation and discussion. Subcommittees must not provide advice or work products directly to the Department or any Federal agency.

14. **RECORDKEEPING:** The records of the ACAA Advisory Committee, formally and informally established subcommittees, or other subgroups of the ACAA Advisory Committee shall be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedules. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552. An agency docket will also be established for ACAA Advisory Committee documents. To the extent that there is a

discussion of issues concerning ongoing rulemaking proceedings during an ACAA Advisory Committee meeting, the minutes of that meeting will be placed in the appropriate docket.

15. **FILING DATE**: The filing date of this charter is September 27, 2023. The charter will expire on September 27, 2025, unless renewed.

SEC. 439. ADVISORY COMMITTEE ON THE AIR TRAVEL NEEDS OF PASSENGERS WITH DISABILITIES.

(a) Establishment.--The Secretary of Transportation shall establish an advisory committee on issues related to the air travel needs of passengers with disabilities (referred to in this section as the ``Advisory Committee'').

(b) Duties.--The Advisory Committee shall--

- (1) identify and assess the disability-related access barriers encountered by passengers with disabilities;
- (2) determine the extent to which the programs and activities of the Department of Transportation are addressing the barriers identified in paragraph (1);
- (3) recommend consumer protection improvements to the air travel experience of passengers with disabilities;
- (4) advise the Secretary with regard to the implementation of section 41705 of title 49, United States Code; and
- (5) conduct such activities as the Secretary considers necessary to carry out this section.

(c) Membership.--

(1) In general.--The Advisory Committee shall be composed of at least 1 representative of each of the following groups:

- (A) Passengers with disabilities.
- (B) National disability organizations.
- (C) Air carriers.
- (D) Airport operators.
- (E) Contractor service providers.
- (F) Aircraft manufacturers.
- (G) Wheelchair manufacturers.
- (H) National veterans organizations representing disabled veterans.

(2) Appointment.--The Secretary of Transportation shall appoint each member of the Advisory Committee.

(3) Vacancies.--A vacancy in the Advisory Committee shall be filled in the manner in which the original appointment was made.

(d) Chairperson.--The Secretary of Transportation shall designate, from among the members appointed under subsection (c), an individual to serve as chairperson of the Advisory Committee.

(e) Travel Expenses.--Members of the Advisory Committee shall serve without pay, but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57 of title 5, United States Code.

(f) Reports.--

(1) In general.--Not later than 14 months after the date of establishment of the Advisory Committee, and annually thereafter, the Advisory Committee shall submit to the Secretary of Transportation a report on the needs of passengers with disabilities in air travel, including--

(A) an assessment of existing disability-related access barriers, and any emerging disability-related access barriers that will likely be an issue in the next 5 calendar years;

(B) an evaluation of the extent to which the Department of Transportation's programs and activities are eliminating disability-related access barriers;

(C) a description of the Advisory Committee's actions;

(D) a description of improvements related to the air travel experience of passengers with disabilities; and

(E) any recommendations for legislation, administrative action, or other action that the Advisory Committee considers appropriate.

(2) Report to congress.--Not later than 60 days after the date the Secretary receives the report under paragraph (1), the Secretary shall submit to the appropriate committees of Congress a copy of the report, including any additional findings or recommendations that the Secretary considers appropriate.

(g) Termination.--The Advisory Committee established under this section shall terminate on September 30, 2023.

(h) Termination of the Next Generation Air Transportation System Senior Policy Committee.--The Next Generation Air Transportation System Senior Policy Committee established by the Secretary of Transportation shall terminate on the date of the initial appointment of the members of the Advisory Committee.