

Aerospace Supply Chain Resiliency (ASCR) Task Force Charter

- 1. AUTHORITY.** The Consolidated Appropriations Act, 2023 (Pub. L. 117-328), Division Q, Section 106, requires the Secretary of the U.S. Department of Transportation (DOT) to establish the ASCR Task Force (Task Force). This statute was enacted on December 29, 2022. The text of Section 106 is contained in Attachment A.
- 2. PURPOSE AND OBJECTIVES OF THE TASK FORCE.** The statute defines the purpose of the Task Force to identify and assess risks to United States aerospace supply chains, including the availability of raw materials and critical manufactured goods, with respect to major end items produced by the aerospace industry; to identify and assess risks to the infrastructure of the National Airspace System; and to identify best practices and make recommendations to mitigate those risks and support a robust United States aerospace supply chain.
- 3. DESCRIPTION OF DUTIES.** The statute defines the Task Force's activities as follows:
 - a. Engage with the aerospace industry to document trends in changes to production throughput and lead times of major end items produced by the aerospace industry;
 - b. Determine the extent to which United States aerospace supply chains are potentially exposed to significant disturbances, including the existence of and potential for supply chain issues such as chokepoints, bottlenecks, or shortages that could prevent or inhibit the production or flow of major end items and services;
 - c. Explore new solutions to resolve such supply chain issues identified under paragraph (2), including through the use of—
 - (i) Existing aerospace infrastructure; and
 - (ii) Aerospace infrastructure, manufacturing capabilities, and production capacities in small or rural communities;
 - d. Evaluate the potential for the introduction and integration of advanced technology to—
 - (i) Relieve such supply chain issues; and
 - (ii) Fill such gaps;
 - e. Utilize, to the maximum extent practicable, existing supply chain studies, reports, and materials in carrying out the activities described in this subsection; and
 - f. Provide recommendations to address, manage, and relieve such supply chain issues.
- 4. REPORTS TO CONGRESS.** The statute requires the Task Force to submit its Report to Congress within one year of its first meeting. This report shall be prepared by the Task Force itself. It shall be an independent Report to Congress, not subject to review or approval by DOT. The statute then requires DOT to submit a separate Report to Congress, within 180 days of the Task Force Report to Congress. The DOT report must address the status or implementation of recommendations contained in the Task Force Report to Congress.
- 5. MEETINGS.** The Task Force will convene at such times and places, and by such means, as the Secretary determines to be appropriate, which may include the use of remote conference technology.
- 6. TASK FORCE ORGANIZATION AND MEMBERSHIP.** The statute requires the Secretary to include specific disciplines and stakeholders on the Task Force, and established a limit to the size of the Task Force.

Accordingly, the U.S. Department of Transportation (DOT) has selected members of the Task Force based upon the criteria set forth in the statute. All members of the Task Force represent either industry associations or labor unions.

The provisions of the August 13, 2014, Office of Management and Budget (OMB) guidance, “Revised Guidance on Appointment of Lobbyists to Federal Advisory Committees, Boards, and Commissions” (79 FR 47482), continues the ban on registered lobbyists participating on Agency Boards and Commissions if participating in their “individual capacity.” The revised guidance allows registered lobbyists to participate on Agency Boards and Commissions in a “representative capacity” for the “express purpose of providing a committee with the views of a non-governmental entity, a recognizable group of persons or non-governmental entities (an industry, sector, labor unions, environmental groups, etc.), or state or local Government.”

7. TASK FORCE ADMINISTRATION AND PROCEDURES. The statute states that “The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Task Force.”

DOT will conduct the Task Force meetings according to Chatham House rules, which stipulate that the proceedings are not recorded or reported externally in any form. Members of the Task Force agree not to disclose the internal proceedings or to attribute any viewpoint to any members of the Task Force. Members of the Task Force will be required to sign a Non-Disclosure Agreement (see Attachment B).

DOT’s designated Facilitator will:

- a. Serve as the DOT Co-Chair;
- b. Designate an Industry Co-Chair, or a replacement, at their sole discretion ;
- c. Select and appoint Task Force members, as well as observers and advisors from DOT and other U.S. government agencies;
- d. Provide notification to the members, observers, and advisors of the time and place for each meeting; and
- e. Facilitate all meetings of the Task Force, including any temporary subcommittees, with a focus on ensuring that all participants have equal opportunity to have their input heard and considered.

Once appointed, the Industry Co-Chair will:

- a. Coordinate the development of the Task Force Report to Congress, including input from all members of the Task Force;
- b. Support the effort to achieve consensus among the Task Force where possible.
- c. Where consensus is not possible, ensure that all positions are fairly and equitably included in the Task Force Report, for Congressional consideration;
- d. Provide a written monthly progress report to the DOT Co-Chair;
- e. Submit the Task Force Report directly to the following Congressional committees within one year of the first meeting of the Task Force:
 - i) House Committee on Appropriations;
 - ii) Senate Committee on Appropriations;
 - iii) House Committee on Transportation and Infrastructure;
 - iv) Senate Committee on Commerce, Science, and Transportation; and
 - v) House Committee on Science, Space, and Technology; and
- f. Provide the DOT Co-Chair with an electronic copy of the Task Force Report at least 48 hours prior to submission to Congress.

All Members of the Task Force will:

- a. Participate actively in Task Force discussions;
- b. Take their own notes in order to provide written input and feedback as necessary in support of

- the formulation of the Task Force Report to Congress;
- c. Abide by the terms of the Nondisclosure Agreements; and
 - d. Notify DOT's Facilitator of any change in their employment status within 48 hours of such change becoming known to the Member. In such cases, DOT reserves the right to designate a new representative on the Task Force.

8. PUBLIC INPUT. A public session will be held as part of each Task Force meeting. However, the remainder of official Task Force meetings will be closed to the public. Individuals or organizations outside the Task Force who wish to speak or present information to the Task Force must register in advance. Alternatively, individuals or organizations outside the Task Force may submit input in writing for the Task Force to consider.

9. AVAILABILITY OF RECORDS. DOT will make any governmental records available, consistent with the Freedom of Information Act, 5 U.S.C. § 552. Available records will be located at the Office of the Under Secretary, DOT Headquarters, 1200 New Jersey Avenue, SE, Washington, DC 20590.

DOT does not intend to record or create detailed minutes, notes, or other official records of the proceedings, including either the public sessions or the closed-door sessions. Each Member of the Task Force is responsible for keeping their own individual notes or records as necessary to help them formulate and prepare the Task Force Report to Congress.

10. EFFECTIVE DATE AND DURATION. This Charter is effective upon signature and will remain in existence until the Task Force has submitted its Report to Congress.

Issued in Washington, DC on December 5, 2023.

A handwritten signature in blue ink, appearing to read 'C Monje, Jr.', with a stylized flourish at the end.

Carlos Monje, Jr.
Under Secretary
U.S. Department of Transportation

ATTACHMENT A
STATUTORY LANGUAGE

From the Consolidated Appropriations Act, 2023 (Public Law 117-328), Division Q

SEC. 106. AEROSPACE SUPPLY CHAIN RESILIENCY TASK FORCE.

- (a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this section, the Secretary of Transportation shall establish the Aerospace Supply Chain Resiliency Task Force (in this section referred to as the “Task Force”) to—
 - (1) identify and assess risks to United States aerospace supply chains, including the availability of raw materials and critical manufactured goods, with respect to—
 - (A) major end items produced by the aerospace industry; and
 - (B) the infrastructure of the National Airspace System; and
 - (2) identify best practices and make recommendations to mitigate risks identified under paragraph (1) and support a robust United States aerospace supply chain.
- (b) **MEMBERSHIP.**—
 - (1) **IN GENERAL.**—The Secretary shall appoint not more than 21 individuals to the Task Force.
 - (2) **COMPOSITION.**—In appointing individuals to the Task Force, the Secretary shall appoint:
 - (A) At least 1 individual representing each of the following:
 - (i) Manufacturers of aircraft.
 - (ii) Manufacturers of avionics.
 - (iii) Manufacturers of aircraft propulsion systems.
 - (iv) Manufacturers of aircraft structures.
 - (v) Manufacturers of communications, navigation, and surveillance equipment used for the provision of air traffic services.
 - (vi) Manufacturers of commercial space transportation launch vehicles.
 - (vii) Commercial air carriers.
 - (viii) General aviation operators.
 - (ix) Rotorcraft operators.
 - (x) Unmanned aircraft system operators.
 - (xi) Aircraft maintenance providers.
 - (xii) Aviation safety organizations.
 - (B) At least 1 individual representing certified labor representatives of each of the following:
 - (i) Aircraft mechanics.
 - (ii) Aircraft engineers.
 - (iii) Aircraft manufacturers.

- (iv) Airway transportation system specialists employed by the Federal Aviation Administration.
- (C) Individuals with expertise in logistics, economics, supply chain management, or another field or discipline related to the resilience of industrial supply chains.
- (c) ACTIVITIES.—In carrying out the responsibilities of the Task Force described in subsection (a), the Task Force shall—
 - (1) engage with the aerospace industry to document trends in changes to production throughput and lead times of major end items produced by the aerospace industry;
 - (2) determine the extent to which United States aerospace supply chains are potentially exposed to significant disturbances, including the existence of and potential for supply chain issues such as chokepoints, bottlenecks, or shortages that could prevent or inhibit the production or flow of major end items and services;
 - (3) explore new solutions to resolve such supply chain issues identified under paragraph (2), including through the use of—
 - (A) existing aerospace infrastructure; and
 - (B) aerospace infrastructure, manufacturing capabilities, and production capacities in small or rural communities;
 - (4) evaluate the potential for the introduction and integration of advanced technology to—
 - (A) relieve such supply chain issues; and
 - (B) fill such gaps;
 - (5) utilize, to the maximum extent practicable, existing supply chain studies, reports, and materials in carrying out the activities described in this subsection; and
 - (6) provide recommendations to address, manage, and relieve such supply chain issues.
- (d) MEETINGS.—
 - (1) IN GENERAL.—Except as provided in paragraph (2), the Task Force shall convene at such times and places, and by such means, as the Secretary determines to be appropriate, which may include the use of remote conference technology.
 - (2) TIMING.—The Task Force shall convene for an initial meeting not later than 120 days after the date of enactment of this section and at least every 90 days thereafter.
- (e) REPORTS TO CONGRESS.—
 - (1) REPORT OF TASK FORCE.—
 - (A) IN GENERAL.—Not later than 1 year after the date of the initial meeting of the Task Force, the Task Force shall submit to the appropriate committees of Congress a report on the activities of the Task Force.
 - (B) CONTENTS.—The report required under subparagraph (A) shall include—
 - (i) best practices and recommendations identified pursuant to subsection (a)(2);
 - (ii) a detailed description of the findings of the Task Force pursuant to the activities required by subsection (c); and
 - (iii) recommendations of the Task Force, if any, for regulatory, policy, or legislative action to improve Government efforts to reduce barriers, mitigate risk, and bolster the resiliency of United States aerospace supply chains.

- (2) **REPORT OF SECRETARY.**—Not later than 180 days after the submission of the report required under paragraph (1), the Secretary shall submit a report to the appropriate committees of Congress on the status or implementation of recommendations of the Task Force included in the report required under paragraph (1).
- (f) **APPLICABLE LAW.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Task Force.
- (g) **SUNSET.**—The Task Force shall terminate upon the submission of the report required by subsection (e)(1).
- (h) **DEFINITIONS.**—In this section:
 - (1) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means—
 - (A) the Committee on Transportation and Infrastructure of the House of Representatives; and
 - (B) the Committee on Commerce, Science, and Transportation of the Senate.
 - (2) **MAJOR END ITEM.**—The term “major end item” means—
 - (A) an aircraft;
 - (B) an aircraft engine or propulsion system;
 - (C) communications, navigation, or surveillance equipment used in the provision of air traffic services; and
 - (D) any other end item the manufacture and operation of which has a significant effect on air commerce, as determined by the Secretary.

SAMPLE ONLY DO NOT SIGN

ATTACHMENT B NON-DISCLOSURE AGREEMENT

**Required of all Members of the Aerospace Supply Chain Resiliency (ASCR) Task Force
(as well as all observers and advisors who may be present for Task Force meetings)**

I understand that DOT is conducting the ASCR Task Force in accordance with Chatham House rules, which stipulate that the proceedings are not recorded or reported externally in any form. The purpose of this approach is to ensure a safe environment in which all Members of the Task Force may speak freely and openly, without fear of external disclosure.

Accordingly, I hereby agree not to disclose any specific issue or stance of any member of the Task Force to anyone outside of the Task Force, at any time, ***even after the Task Force has delivered its final report to Congress.***

I further agree that I will not disclose (in any form) any specific perspectives or arguments discussed within Task Force meetings, in any manner or to any extent, to any individual other than designated Primary or Alternate Members of the Task Force, the designated DOT Facilitator and DOT Co-Chair, or the designated Industry Co-Chair.

This agreement does not prevent me from consulting with my own colleagues within my employer, or from consulting with members of my association in general terms about issues and potential recommendations. However, in conducting any such consultation, I will not identify the source of the issues or recommendations, or the stance of any individuals or organizations represented on the Task Force.

To the extent that I take notes on Task Force proceedings, I will take all reasonable precautions to prevent the unauthorized disclosure of such information outside of the Task Force, except to the extent that it is included in the final Task Force Report to Congress.

If there is any change in my employment status prior to submission of the Task Force Report to Congress, I will notify the DOT Facilitator within 48 hours of such change becoming known to me. I understand that in such circumstances, DOT reserves the right to designate a new representative on the Task Force.

I hereby certify that I will fully and completely observe these parameters and will not disclose such information to any unauthorized person, or use any information obtained for commercial or private use or gain at any time.

I understand that willful, unauthorized disclosure of such information may cause DOT to exclude me and my employer (including the designated Alternate representative) from subsequent engagement with this Task Force.

Name (printed)

Signature

Date

Organization / Affiliation