

**CHARTER OF THE AVIATION CONSUMER  
PROTECTION ADVISORY COMMITTEE  
U.S. DEPARTMENT OF TRANSPORTATION**

1. **ADVISORY COMMITTEE’S OFFICIAL DESIGNATION:** The Committee shall be known as the Aviation Consumer Protection Advisory Committee (ACPAC).
2. **AUTHORITY:** The Committee is established pursuant to section 411 of the FAA Modernization and Reform Act of 2012, Pub. L. No. 112-95, 126 Stat. 11 (2012), as amended. Section 508 of the FAA Reauthorization Act of 2024 Pub. L No. 118-63, 138 Stat. 1025 (2024) extended the statutory authorization to September 30, 2028. The ACPAC 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 ACPAC shall advise the U.S. Secretary of Transportation (Secretary) in carrying out U.S. Department of Transportation activities related to aviation consumer protection activities.
4. **DESCRIPTION OF DUTIES:** The ACPAC will carry out the following tasks:
  - a. Evaluate existing aviation consumer protection programs and provide recommendations to the Secretary for the improvement of such programs, if needed;
  - b. Examine whether additional Departmental policies, guidance, regulations or other actions are necessary to safeguard consumers from practices that may constitute unfair, deceptive or anticompetitive practices; and,
  - c. The ACPAC may submit to the Secretary reports with recommendations, if any, concerning any needed improvements to existing aviation consumer protection programs and the need for establishing any additional aviation consumer protection programs.
  - d. The ACPAC shall consult, as appropriate, with foreign air carriers, air carriers with an ultra- low-cost business model, nonprofit public interest groups with expertise in disability and accessibility matters, ticket agents, travel management companies, and any other groups as determined by the Secretary.
5. **AGENCY OR FEDERAL OFFICER RECEIVING THE ADVISORY COMMITTEE’S ADVICE/RECOMMENDATIONS:** The ACPAC shall report to the Secretary of Transportation through the Office of the General Counsel in the Office of the Secretary.
6. **SUPPORT:** The Office of the General Counsel serves as Sponsor of the ACPAC.

7. **ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS:**

- a. Operating expenses are borne by the Office of the Secretary. The estimated annual cost to the Government is \$100,000 and 0.3 staff years to cover meeting logistics (e.g., meeting expenses, travel, and other support costs), technical support (e.g., establishing and managing a repository of documents associated with ACPAC business), and giving presentations at committee meetings.
- b. Members of the ACPAC shall serve without pay but may receive travel and per diem expenses in accordance with 5 U.S.C., chapter 57, subchapter I.

8. **DESIGNATED FEDERAL OFFICER:**

- a. The Assistant General Counsel for the Office of Aviation Consumer Protection, or designee, will serve as the Designated Federal Official (DFO) for the ACPAC.
- b. The DFO, or designee, must perform the following duties:
  - i. Ensure advisory committee activities comply with FACA, the FACA Final Rule, agency administrative procedures, and any other applicable laws and regulations;
  - ii. Approve or call all meetings of the advisory committee or subcommittee;
  - iii. Approve the agenda;
  - iv. Attend all advisory committee and subcommittee meetings for their duration;
  - v. Fulfill the requirements under § 10(b) of the Act (codified at 5 U.S.C. 1009(b));
  - vi. Adjourn any meeting when the DFO determines it to be in the public interest;
  - vii. Chair any meeting when so directed by the agency head;
  - viii. Maintain information on advisory committee activities and provide such information to the public, as applicable; and
  - ix. Ensure advisory committee members and subcommittee members, as applicable, receive the appropriate training (e.g., FACA overview, ethics training) for efficient operation and compliance with FACA and the FACA Final Rule.
- c. The DFO shall furnish minutes of each ACPAC meeting to the Sponsor. The Chairperson shall certify the accuracy of the minutes.

9. **MEETINGS:**

- a. Frequency: Unless otherwise required by law or approved by the Secretary, all meetings will be held virtually (or in a hybrid forum that does not require additional use of Federal funds). It is anticipated that the ACPAC will meet two times during each 12-month period following the ACPAC's establishment. Special meetings and subcommittee meetings may be called as necessary.
- b. Meeting Notice: Notice of each scheduled ACPAC meeting will be published at least 15 calendar days prior to the date of the meeting in the *Federal Register*. Notice shall include the agenda, date, time, location, and purpose of the meeting.
- c. Participation of the Public: All meetings will be open to the public, except as provided under section 10(d) of FACA, as implemented by 41 CFR Part 102-3, and the Government in the Sunshine Act (5 U.S.C. § 522b(c)). Members of the public will be given the opportunity to appear before or file statements with the ACPAC as determined by the DFO.
- d. Voting: A quorum must exist for any official action, including voting on a recommendation, to occur. A quorum exists whenever three of the appointed members are present, whether in person and/or virtually. In any situation involving voting, the majority vote of members 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. Any member, including the Chairman, may make a motion for a vote.

9. **DURATION:** Continuing.

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

11. **MEMBERSHIP AND DESIGNATION:**

- a. The ACPAC will comprise individuals appointed by the Secretary in accordance with 41 CFR 102-3.130(a). ACPAC members will be one representative each of:
  - i. Air carriers;
  - ii. Airport operators;
  - iii. State or local governments with expertise in consumer protection matters;  
and
  - iv. Nonprofit public interest groups with expertise in consumer protection matters.

- b. Members serve at the pleasure of the Secretary and may be replaced at any time for any reason, including non-participation. Members' terms shall commence when they are appointed by the Secretary and shall not exceed two years or the authorized period of the Committee, whichever is shorter.
  - c. In exceptional circumstances, members can designate alternates who would be officially authorized to act on their behalf in their absence. The members will ensure the attendance of their alternates at the ACPAC meetings when the members cannot be present.
  - d. The Chairperson of the ACPAC shall be designated by the Secretary from among the individuals appointed to the ACPAC.
  - e. The Chairperson conducts each meeting using generally accepted meeting management techniques, provides an opportunity for participation by each member and, as appropriate, by public attendees, ensures adherence to the agenda, works with the DFO to maintain order, and prepares any recommendations to be submitted to the Secretary.
12. **SUBCOMMITTEES:** The General Counsel may establish subcommittees to perform specific assignments. Subcommittees shall not work independently of the chartered ACPAC, shall report all of their recommendations and advice to the full ACPAC, and shall not provide advice or work products directly to the Sponsor or any Federal agency.
13. **RECORDKEEPING:** The records of the Committee, formally and informally established subcommittees, or other subcommittees of the Committee, shall be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. 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 ACPAC documents. To the extent that there is a discussion of issues concerning ongoing rulemaking proceedings during an ACPAC meeting, the minutes of that meeting will be placed in the appropriate docket.
14. **FILING DATE:** The filing date of this charter is June 9, 2025. Unless renewed, it will expire on June 9, 2027.