

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

CHARTER OF THE

NASA ADVISORY COUNCIL

- 1. Official Designation:** NASA Advisory Council ("Council").
- 2. Authority:** Having determined that it is in the public interest in connection with the performance of Agency duties under the law, and with the concurrence of the General Services Administration, the NASA Administrator hereby renews the Council's charter, pursuant to the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App.
- 3. Objectives and Scope of Activities:** The Council shall draw on the expertise of its members and other sources to provide advice and make recommendations to the NASA Administrator on Agency programs, policies, plans, financial controls, and other matters pertinent to the Agency's responsibilities.
- 4. Description of Duties:** The Council shall function solely as an advisory body and comply with the provisions of FACA. The Council shall be supported by committees, subcommittees, and task forces as needed, to cover the breadth and depth of scope as determined by the NASA Administrator.
- 5. Official to Whom the Council Reports:** The Council reports to the NASA Administrator.
- 6. Support:** The Office of International and Interagency Relations will provide staff support and operating funds for the Council. The Mission Directorates and/or Mission Support Offices shall provide staff support and operating funds for the respective committees, subcommittees, and task forces which report to the Council.
- 7. Estimated Annual Operating Costs and Staff Years:** The estimated annual operating costs for the Council, its committees, subcommittees, and task forces total approximately \$850,000, including three work-years for staff support.
- 8. Designated Federal Officer:** The Executive Director of the Council shall be appointed by the NASA Administrator and shall serve as the Designated Federal Officer (DFO). The DFO will be either a full-time or a permanent part-time employee who will: call, attend, and adjourn all Council, committee, subcommittee, and task force meetings; approve agendas; maintain required records on costs and membership; ensure efficient operations; maintain records for availability to the public; and provide copies of Council reports to the NASA Committee Management Officer for forwarding to the Library of Congress. The DFO shall also work closely with the NASA Office of General Counsel (OGC) to ensure that all potential members (i.e., nominees) for the Council, committees, subcommittees, and task forces complete the mandatory Office of Government Ethics financial disclosure reports and receive full ethics vetting and clearance by OGC prior to formal appointment by NASA. In addition, the DFO shall ensure that all appointed members of the Council, committees, subcommittees, and task forces

shall file the mandatory financial disclosure reports (annual and otherwise) and shall receive the mandatory annual ethics training by OGC. The DFO shall refer any issues that may arise relating to potential conflicts of interest to OGC for resolution.

9. Estimated Number and Frequency of Meetings: The Council shall meet approximately three times a year or as required by the NASA Administrator. Meetings shall be open to the public unless it is determined that the meeting, or a portion of the meeting, will be closed in accordance with the Government in the Sunshine Act.

10. Duration: The Council is envisioned to be a continuing entity with charter renewals.

11. Termination: The Council shall terminate two years from the date of the filing of this charter unless renewed or terminated earlier by the NASA Administrator.

12. Membership and Designation:

1. The Council shall consist of members to be appointed by the NASA Administrator (or designee). The Administrator shall ensure a balanced representation in terms of the points of view represented and the functions to be performed. Diversity shall be considered as well.
2. The Council shall consist of approximately 10-20 members who will serve as Special Government Employees for two-year renewable terms, unless otherwise approved. Special Government Employees serve as individual subject matter experts. All Council members serve at the pleasure of the Administrator.
3. The NASA Administrator shall designate the Chair of the Council.
4. The Council shall be comprised of the Chair, the committee chairs, and members at large, as appropriate, at the discretion of the NASA Administrator.
5. The Chair of the Space Studies Board (SSB) of the National Academy of Sciences, and the Chair of the Aeronautics and Space Engineering Board (ASEB) of the National Academy of Engineering, shall be *ex officio*, nonvoting members of the Council.

13. Committees, Subcommittees, and Task Forces:

1. The NASA Administrator shall establish Council committees, subcommittees, and task forces, as appropriate. All committees, subcommittees and task forces must report back to the parent committee and must not provide advice or work products directly to the agency.
2. Council committees, subcommittees, and task forces may be established or discontinued at the discretion of the NASA Administrator. No formal amendment(s) to this charter will be required to effect such change(s).

3. The NASA Administrator, in consultation with the Council Chair, may establish committees under the Council, as necessary. The terms of reference for committees shall be subject to the approval of the Administrator. Council committees shall consist of members to be appointed by the Administrator (or designee). Council committees shall be comprised of a maximum of 12 members, including the chair, and shall be chaired by a Council member. Committee members shall serve for two-year renewable terms, unless otherwise approved. Each committee shall deliberate the recommendations that arise from the committee or are received from their subcommittees or task forces, if any. In the latter case, the committee may endorse subcommittee or task force recommendations and forward them to the Council for deliberations, or the committee may provide comments or suggestions back to the subcommittee or task force.
4. The Council shall deliberate on all recommendations of the committees, subcommittees and task forces. The Council may forward a recommendation to the NASA Administrator for Agency consideration or return it to the committee or task force with comments pertaining to its disposition, including requests for revision and resubmission. All recommendations forwarded to the Administrator shall be tracked by the Council Executive Director. An Agency formal written response to each recommendation submitted to the Administrator shall be provided to the Council. No Council committee shall be independently chartered under FACA.
5. The NASA Administrator, in consultation with the Council Chair, may establish subcommittees under the Council committees, as necessary. The terms of reference for subcommittees shall be subject to the approval of the Administrator. A member of the subcommittee's parent committee shall chair the subcommittee. The chair and members of subcommittees shall be appointed by the respective Associate Administrator following consultation with the Administrator. Subcommittees shall be comprised of a maximum of 12 members, including the chair. Subcommittee members shall serve for two-year renewable terms, unless otherwise approved. The subcommittees shall report to their respective committee(s).
6. The NASA Administrator, in consultation with the Council Chair, may establish temporary ad hoc task forces under the Council or under specific Council committees, as necessary. The terms of reference for task forces shall be subject to the approval of the Administrator. Task force chairs and members shall be appointed by the Administrator (or designee). Task forces shall be comprised of a maximum of 12 members, including the chair. Task force members shall serve for two-year renewable terms, unless otherwise approved.

14. Recordkeeping: The records of the Council, its committees, subcommittees, and task forces shall be handled in accordance with the 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.

15. Filing Date: This charter shall become effective upon the filing of this charter with the appropriate U.S. Senate and House of Representatives oversight committees. It shall terminate two years from the date of filing of this charter unless renewed or terminated earlier by the NASA Administrator.



Bill Nelson
Administrator
National Aeronautics and Space Administration

10/13/2021

Signature Date

10/13/2021

Congressional Filing Date