

# NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

## CHARTER OF THE

### NATIONAL SPACE COUNCIL USERS' ADVISORY GROUP

**1. Official Designation.** The National Space Council Users' Advisory Group.

**2. Authority.** Executive Order 13803 ("Reviving the National Space Council"), dated June 30, 2017, requires convening of the National Space Council ("Council") Users' Advisory Group ("UAG") pursuant to the National Aeronautics and Space Administration ("NASA") Authorization Act, Fiscal Year 1991, Public Law 101-611, section 121. Activities of the UAG are governed by the provisions of the Federal Advisory Committee Act ("FACA"), Public Law 92-463, as amended (5 U.S.C. App.), which sets forth standards for the formation and use of Federal advisory committees.

**3. Objectives and Scope of Activities.** The function of the UAG is solely advisory and shall be to ensure that the interests of industry, other non-Federal entities, and other persons involved in aeronautical and space activities are adequately represented. The UAG shall provide advice and recommendations on matters including, but not limited to:

- (a) The effect of existing and potential U.S. and foreign government policies, laws, regulations, treaties and other international instruments, programs and practices on national security, civil, and private sector space activities;
- (b) National security space priorities, including those affecting Homeland Security, the Nation's defense, and intelligence activities, as they relate to coordination, cooperation, and technology and information exchange among the civil, national security, and commercial space sectors;
- (c) Human and robotic exploration priorities;
- (d) Strategies to increase innovation, efficiency, and effectiveness in public and private sector space activities that benefit the American people and reduce the burden on the taxpayer;
- (e) Strategies to increase public, academic, commercial, and international support for U.S. space policies and programs; and
- (f) Strategies to ensure U.S. leadership in the economic development of outer space.

**4. Description of Duties.** The UAG's duties shall include, but are not limited to:

- (a) Seek to ensure that the interests of industry, other non-Federal entities and other persons involved in aeronautical and space activities are adequately represented in the National Space Council;

- (b) Provide subject matter expertise to the Council;
- (c) Submit reports with findings and recommendations to the Council;
- (d) Conduct studies, reviews, and evaluations, as requested by the Council; and
- (e) Submit an annual report to the Council on its activities, as requested by the Council.

**5. Agency or Official to Whom the Committee Reports.** The UAG will function in an advisory capacity to the Council through the Council's Executive Secretary, and in coordination with the UAG's Designated Federal Officer ("DFO").

**6. Agency Responsible for Providing Support.** NASA will provide staff support and operating funds for the UAG.

**7. Designated Federal Officer.** Pursuant to 41 CFR § 102-3.105 and in consultation with the Chair and Executive Secretary of the Council, the NASA Administrator shall appoint a full-time or permanent part-time Federal employee as the Council's DFO. At the Administrator's discretion, the DFO may utilize other NASA employees as support staff to assist the DFO in fulfilling his or her responsibilities. The DFO shall:

- (a) Call, attend, and adjourn UAG and, if any, subcommittee meetings; approve agendas; maintain required records on costs and membership; ensure efficient operations; maintain records for availability to the public; and provide copies of committee reports to the NASA Committee Management Officer.
- (b) The DFO will also coordinate with the UAG and subcommittee members, if any, and the NASA Office of General Counsel ("NASA OGC") to ensure that all applicable legal/ethical requirements are met. With regard to Special Government Employees ("SGEs") these include, though are not limited to, full vetting and clearance by NASA OGC prior to formal appointment, completing mandatory financial disclosure reports (annual and otherwise) and ethics training, and obtaining ethics advice for any questions on U.S. Government ethics requirements that may arise.

**8. Estimated Annual Operating Costs and Staff Years.** The estimated annual operating costs are \$450,000. This includes two full-time equivalents of staff support.

**9. Estimated Number and Frequency of Meetings.** The UAG shall meet as frequently as needed, subject to the advance approval of the DFO. It is estimated that the UAG will meet three times each year. The UAG shall from time to time, but not less than once per year, meet with the Council. Special meetings of the UAG may be required and supported as needed.

**10. Duration.** Pursuant to Public Law 101-611, section 121(b), the UAG is not subject to section 14a(2) of FACA and shall exist on an ongoing basis.


**11. Membership and Designation.** The UAG and its subcommittees, if any, are composed of representatives of industry, other non-Federal entities, and other recognizable groups of persons involved in aeronautical and space activities, as well as Special Government Employees (“SGEs”) who may be appointed. Regular U.S. Government employees are not eligible for membership.

- (a) The Chair of the Council, in consultation with the members of the Council, shall select the members of the UAG, who shall be appointed by the NASA Administrator to two-year terms.
- (b) The Chair of the Council shall name a Chair of the UAG, which shall be composed of no fewer than fifteen (15) members and no more than thirty (30) members.
- (c) Members of the UAG will serve without compensation, but will be reimbursed for travel expenses as allowed by 5 U.S.C. § 5701 *et seq.* and FACA, as amended.

**12. Subcommittees.** Subcommittees and task forces may be established or discontinued at the discretion of the NASA Administrator, in consultation with the Chair of the UAG. No formal amendment(s) to this charter will be required to effect such changes. Subcommittees may not incur costs or expenses without prior written approval of the DFO. Subcommittees must report directly to the UAG, and must not provide advice or work products directly to the Vice President, Council, or any other Federal official or Federal agency.

**13. Recordkeeping.** The records of the UAG, its subcommittees and task forces shall be handled in accordance with the General Records Schedule 6.2, or other approved Agency records disposition schedule. The records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

**14. Filing Date.** This charter shall become effective upon its filing with the appropriate U.S. Congressional oversight committees. The charter also is filed with the Committee Management Secretariat of the U.S. General Services Administration, and a copy will be provided to the Library of Congress.

  
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 Robert M. Lightfoot, Jr.  
 Administrator (Acting)  
 National Aeronautics and Space Administration

  
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 Filing Date