Memorandum of Understanding

Framework for DOT-FCC Coordination of Commercial Aviation Communications Safety and Security Issues

Interagency Working Group: *Commercial Aviation Communications Safety and Security*

Purpose

In furtherance of our respective statutory obligations for safety and security of domestic commercial aviation and commercial spectrum policy, among other things, the Department of Transportation's Federal Aviation Administration (hereinafter "FAA") and the Federal Communications Commission (hereinafter "FCC") hereby approve this Framework for an Interagency Working Group that establishes plans for the two agencies to collaborate on issues that intersect their respective domains, to include the safe and secure use of consumer communications onboard domestic commercial aviation and other topics of mutual interest.

Legal Authority

[FAA] 49 U.S.C. §§ 106(f)(2), 106(l)(6) and 106(m).

[FCC] 47 U.S.C. §§ 154(i), 154(j), 157(a), 301(e), 302(a), 303(c), 303(e), 303(f), 303(g), 303(j), 303(r), and 303(y)

Leadership Group

The FAA and FCC hereby establish a Federal Interagency Working Group, titled Commercial Aviation Communications Safety and Security Leadership Group (hereinafter "Leadership Group"). The FAA and FCC will co-chair the Leadership Group. The primary mission of the Leadership Group will be to harmonize policy and regulatory activities regarding safe and secure communications and aviation while maintaining the independent policy-making responsibilities of each agency. In addition to FAA and FCC subject matter and regulatory experts, Federal representatives from law enforcement, intelligence, defense, national and homeland security agencies will be invited to participate in the Leadership Group to identify, analyze, discuss, and/or make recommendations regarding steps needed to ensure the continued safe and secure use of consumer communications technology onboard domestic commercial aircraft. The Leadership Group will also invite other relevant Federal government entities to participate, as appropriate, and will keep these organizations informed of significant conclusions.

Meetings

The Leadership Group will meet on a quarterly basis or at other times as circumstances dictate. It is anticipated that the topics discussed will be of significant interest to a number of agencies. Broad interagency participation will be encouraged and will help in the coordination of regulatory activities—where appropriate—with other Federal government missions.

Members of industry, trade groups and associations, academia, outside subject matter experts, and representatives of state, local, tribal, and territorial governments may be invited (at their own

expense) by the Chairs to make presentations to the Leadership Group, but will not be seated on the Leadership Group nor participate in any policy discussions.

Staffing and Resources

Each department or agency invited to attend and participate in the Leadership Group will assign a senior staff person as its primary representative, along with an alternate. Membership in the Leadership Group and any Subordinate Groups is limited to officers or employees of the Federal government. To discuss a full spectrum of issues, security clearances will be necessary for department and agency representatives.

Resources for the Leadership Group and any Subordinate Groups are expected to involve only the attendance of its members and meeting space. The Leadership Group and all Subordinate Groups will operate consistent with applicable appropriations provisions and any other legal requirements.

Individuals or entities invited to attend a meeting of the Leadership Group and/or a Subordinate Group will bear all costs and expenses associated with such attendance.

Subordinate Groups

As needed, the Chairs may call to order working groups comprising subject matter experts that will report to the Leadership Group. These subject matter experts are expected to provide a deeper insight into challenges being addressed by the Leadership Group.

Effective Date and Termination

This Framework is effective on countersignature. It may be modified upon mutual agreement of the parties and may be terminated at will by either party through written notice to the relevant principal counterpart noted below. This Agreement shall continue in effect for five years.

Signatories

For the Department of Transportation

Victor M. Mendez

Deputy Secretary
United States Department of Transportation

01/13/2016
Date

For the Federal Communications Commission

David G. Simpson, Rear Admiral, USN (ret)

Chief, Public Safety and Homeland Security Bureau

01/29/2016
Date