

Charter of the Railroad Safety Advisory Committee

U.S. Department of Transportation

1. **ADVISORY COMMITTEE'S OFFICIAL DESIGNATION.** Railroad Safety Advisory Committee (RSAC).
2. **AUTHORITY.** This committee is being reestablished under the authority of the U.S. Department of Transportation (DOT) and established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. ch. 10. The formation and use of RSAC are determined to be necessary and in the public interest.
3. **OBJECTIVE AND SCOPE OF ACTIVITIES.**
 - a. The Federal Railroad Administration (FRA) Administrator, or his or her designee, will present the RSAC with tasks relating to railroad safety and security. Through the FRA Administrator, RSAC will make recommendations to the U.S. Secretary of Transportation ("Secretary") regarding rail safety.
 - b. The committee addresses safety and security problems by identifying the best solutions based on agreed-upon facts and, where regulation appears necessary, identifying regulatory options to implement these solutions.
4. **DESCRIPTION OF DUTIES.** The committee will address tasks from the FRA Administrator by providing advice for collaborative rulemaking or by providing non-regulatory recommendations on critical safety issues. The committee will act solely in an advisory capacity. The RSAC's advice and recommendations are non-binding to FRA.
5. **AGENCY OR FEDERAL OFFICER RECEIVING THE ADVISORY COMMITTEE'S ADVICE/RECOMMENDATIONS.** The FRA Administrator is the sponsor of the committee, and the Secretary accepts or rejects recommendations produced by the committee.
6. **SUPPORT.** FRA's Office of Railroad Safety will provide the necessary funding, logistics, and administrative support.
7. **ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS.** It is estimated that the committee's annual operating costs during Fiscal Years 2026 and 2027 will be \$100,000 annually for 0.5 full-time equivalent support directly involved with the committee.

8. DESIGNATED FEDERAL OFFICER.

- a. The FRA Administrator shall appoint a full-time or permanent part-time Federal employee to serve as the Designated Federal Officer (DFO) (or designee) for this advisory committee.
- b. The DFO shall be responsible for:
 - (1) Ensuring RSAC activities comply with FACA, the FACA Final Rule, agency administrative procedures, and any other applicable laws and regulations;
 - (2) Approving or calling all meetings of RSAC or its subcommittees;
 - (3) Approving the agenda;
 - (4) Attending all RSAC and subcommittee meetings for their duration;
 - (5) Fulfilling the requirements under § 10(b) of FACA (codified at 5 U.S.C. 1009(b));
 - (6) Adjourning any meeting when the DFO determines it to be in the public interest;
 - (7) Chairing any meeting when so directed by the agency head;
 - (8) Maintaining information on RSAC activities and provide such information to the public, as applicable; and
 - (9) Ensuring RSAC 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.

9. **MEETINGS.** The committee will meet as assigned tasks dictate, which is estimated as two to three times per year. 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).

10. **DURATION.** Continuing.

11. **TERMINATION.** This charter will terminate 2 years after its effective date unless renewed in accordance with FACA and other applicable requirements.

12. MEMBERSHIP AND DESIGNATION.

- a. As identified in Appendix A, the committee comprises 25 members from 21 organizations that constitute a cross-section of rail industry perspectives. Any expansion of membership beyond that provided in this charter requires approval of the Secretary.

- b. At the Secretary's discretion, the number of members appointed to represent each organization will be allocated to include a balanced representation of interests including railroad management and labor.
- c. The membership on the committee will be fairly balanced with points of view representative of the railroad community, including those of railroad owners, labor, State governments, manufacturers, suppliers, groups, and public associations.
- d. The members of the committee and their alternates will be appointed by the Secretary from the organizations identified in Appendix A to this charter. Each organization may identify two alternates to serve on the committee in the event the primary member is unable to attend a meeting.
- e. Members serving on behalf of specific interests will serve as Representatives. Individuals appointed solely for their expertise will be appointed as Special Government Employees.
- f. Members of the committee who are not full-time employees of the U.S. Government serve without compensation or travel per diem.
- g. Members serve at the pleasure of the Secretary and may be replaced at any time for any reason, including non-participation.

13. SUBCOMMITTEES. The FRA Administrator is authorized to create subcommittees in accordance with the Department's Committee Management Order. Subcommittees will not work independently of the chartered RSAC and will report their recommendations and advice to the full RSAC for deliberation and discussion. Subcommittees must not provide advice or work products directly to FRA or DOT.

14. RECORDKEEPING.

- a. The records of the committee and its subcommittees shall be handled in accordance with General Records Schedule 6.2, Item 10, and other approved agency records disposition schedules.
- b. These records shall be available for public inspection and copying, subject to the Freedom of Information Act (5 U.S.C. § 552) and DOT's regulations governing the protection of sensitive security information (49 CFR part 15). The records, reports, transcripts, minutes, and other documents that are made available to, or prepared for or by, the committee are available for public inspection at www.regulations.gov under Docket Number FRA-2000-7257.

15. FILING DATE. The effective date is January 20, 2026 and the charter will expire 2 years from that date on January 20, 2028, unless renewed.

Proposed Federal Advisory Committee (FAC) Membership Balance Plan

Please read the Federal Advisory Committee Membership Balance Plan Guidance prior to completing this form

(1) FEDERAL ADVISORY COMMITTEE NAME

State the legal name of the FAC.

Railroad Safety Advisory Committee (RSAC)

(2) AUTHORITY

Identify the authority for establishing the FAC.

RSAC is established under the authority of the U.S. Department of Transportation and is established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. ch. 10.

(3) MISSION/FUNCTION

Describe the mission/function of the FAC.

The mission and function of the committee is to provide a continuing forum for advice and recommendations to the Federal Railroad Administration (FRA) Administrator on railroad safety issues, including security. Significantly interested segments of the railroad industry and the public will be represented on the committee, allowing FRA-affected entities and the public to have a more direct role in shaping FRA's regulatory program. The committee will allow railroad management, labor, and other interested parties to address safety and security problems by identifying the best solutions based on agreed-upon facts, and where regulation appears necessary, identify regulatory options to recommend solutions.

(4) POINTS OF VIEW

Based on understanding the purpose of the FAC,

- a) *describe the process that will be used to ensure the committee is balanced, and identify the categories (e.g., individual expertise or represented interests) from which candidates will be considered;*
- b) *consider identifying an anticipated relative distribution of candidates across the categories; and*
- c) *explain how a determination was made to appoint any individuals as Special Government Employees or Representative members.*

RSAC comprises members who represent organizations from all aspects of the railroad industry, including railroads, manufacturers, suppliers, shippers, and passenger advocates. See answers to (6) for more information.

(5) OTHER BALANCE FACTORS

List any other factors your agency identifies as important in achieving a balanced FAC.

Additional organizations may be considered for membership if they seek representation or meet a category for membership, and the Secretary determines they have a significant interest in rail safety.

(6) CANDIDATE IDENTIFICATION PROCESS

Summarize the process intended to be used to identify candidates for the FAC, key resources expected to be tapped to identify candidates, and the key persons (by position, not name) who will evaluate FAC balance. The summary should:

- (a) describe the process;*
- (b) identify the agency key staff involved (by position, not name);*
- (c) briefly describe how FAC vacancies, if any, will be handled by the agency; and*
- (d) state the membership term limit of FAC members, if applicable.*

- (A) The Secretary may appoint members to fill vacancies to RSAC upon his or her own motion. FRA may publish a Federal Register Notice asking stakeholder organizations to recommend qualified candidates for RSAC membership according to the number of seats allocated to the organization. All nominees have extensive railroad experience in the private sector, government, or both. Nominees represent railroads, labor, shippers, and passenger advocates.
- (B) Agency staff involved in determining the balance for the committee are the Associate Administrator for Railroad Safety and Chief Safety Officer, the RSAC Designated Federal Officer (DFO), and attorneys from the Office of the Chief Counsel.
- (C) Vacancies may be handled in several ways. The Secretary may appoint members to fill vacancies to RSAC upon his or her own motion. Consistent with the Committee Management Order, FRA may address RSAC member vacancies by asking the respective organization(s) to nominate a replacement. FRA may publish a Federal Register Notice asking stakeholder organizations to recommend qualified candidates for RSAC membership based on the number of vacancies available. Finally, FRA may rely on materials received from prior solicitations or outreach to make recommendations to the Secretary for appointment. FRA will submit the nominee's information to the FRA Administrator, who will recommend replacement members for appointment to the Secretary
- (D) Members will serve for 2 years and may have their terms reapproved by the Secretary.

(7) SUBCOMMITTEE BALANCE

Subcommittees subject to FACA should either state that the process for determining FAC member balance on subcommittees is the same as the process for the parent FAC, or describe how it is different.*

**This is relevant to those agencies that require their subcommittees to follow all FACA requirements.*

The FRA Administrator will ensure member balance on all subcommittees following the same process FRA uses to determine RSAC balance.

(8) OTHER

Provide any additional information that supports the balance of the FAC.

(9) DATE PREPARED/UPDATED

Insert the actual date the Membership Balance Plan was initially prepared, along with the date(s) the Plan is updated.

Prepared August 26, 2025 and updated January 20, 2026.

Appendix A: Organizational Listing:

Organization	Seats
American Association of State Highway & Transportation Officials (AASHTO)	1
American Chemistry Council (ACC)	1
American Petroleum Institute (API)	1
American Public Transportation Association (APTA)	1
American Short Line and Regional Railroad Association (ASLRRA)	1
American Train Dispatchers Association (ATDA)	1
Association of American Railroads (AAR)	5
Brotherhood of Locomotive Engineers and Trainmen (BLET)	1
Brotherhood of Maintenance of Way Employees Division (BMWED)	1
Brotherhood of Railroad Signalmen (BRS)	1
Chlorine Institute (CI)	1
Commuter Rail Coalition (CRC)	1
Fertilizer Institute, Inc. (FII)	1
International Association of Machinists & Aerospace Workers (IAMAW)	1
International Brotherhood of Electrical Workers (IBEW)	1
National Conference of Firemen & Oilers (NCFO)	1
National Railroad Construction and Maintenance Association (NRC)	1
Railway Supply Institute (RSI)	1
SMART Transportation Division Union (SMART-TD)	1
Transport Workers Union of America (TWU)	1
Transportation Communications International Union (TCU/BRC)	1