

Non-Public Collaborative Discussion: *August 1, 2022*

The following is a summary of the nonpublic collaborative discussion held virtually on Monday, August 1, 2022, pursuant to 49 U.S.C § 1111(k)(2).

Present: Chair Jennifer Homendy

Vice Chairman Landsberg

Member Graham

Member Chapman

Dana Schulze, Managing Director

Kathleen Silbaugh, General Counsel

Casey Blaine, Deputy General Counsel

Topics: Board Orders, Most Wanted List, and Future Public Meetings

Session Summary:

At this session, the four Board Members discussed the status of a current draft Board Order and the overarching Board Order approval process; the current state of the NTSB's Most Wanted List (MWL); and future public meetings on safety issues.

The General Counsel initiated the session with an overview of the statutory provision (codified at 49 U.S.C. § 1111(k)(2)) authorizing the Board to hold nonpublic collaborative discussions. The General Counsel explained the mandatory attendance criteria and limitations on such sessions, as well as how they differ from meetings convened under the Government in the Sunshine Act.

Following the General Counsel's briefing, the Chair invited the Board Members to share their individual thoughts on the agenda topics and facilitated a group dialogue. With respect to Board Orders, the Members discussed the merits of combining two existing Orders into one document and the types of agency products needing Board concurrence. More generally, the Board Members discussed improving how Board Member feedback on Orders is obtained. Regarding the MWL, the Members provided comment on how the possibility of extending the applicable period for the current MWL, and how the agency can more effectively communicate its top issue areas to the public and key stakeholders. Finally, the Members considered whether to hold Sunshine Act meetings on general safety issues, such as collision avoidance, in the future.

The session concluded with the Managing Director and General Counsel acknowledging the information gained through the discussion and the next steps each will take regarding these topics.