



# PUBLIC NOTICE

Federal Communications Commission  
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## FCC ANNOUNCES EXTENSION OF TIME TO SUBMIT APPLICATIONS FOR VACANCIES ON ITS NATIVE NATIONS COMMUNICATIONS TASK FORCE

By this Public Notice, the Federal Communications Commission (Commission) extends the deadline to submit applications to fill Tribal vacancies on the Native Nations Communications Task Force (Task Force) from August 27, 2021 to **September 27, 2021**.<sup>1</sup> Applicants must be elected leaders from federally recognized Tribal governments or governmental entities (e.g., Tribal utility commissions), or their designated employees.<sup>2</sup> Applications should be submitted in accordance with the procedures outlined below. Members appointed by the Acting Chairwoman of the Commission to fill the vacancies will serve through the end of the Task Force's current term, which runs through October 2022.<sup>3</sup>

### Mission and Function

The Task Force's mission is to make recommendations to the Commission on communications-related issues that affect Tribal interests. The issues to be considered by the Task Force may include but are not limited to: (i) executing the Commission's Tribal consultation policy; (ii) identifying barriers to broadband deployment that are unique to Tribal lands; and (iii) ensuring Tribal concerns are considered in all Commission proceedings related to broadband and other Commission undertakings that affect Tribal interests regarding communications services and facilities.

In filling the vacancies, the Commission seeks to balance representation of different geographic regions, Task Force members' subject-matter expertise, and the diversity among Tribal Nations in terms

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<sup>1</sup> See *Acting Chairwoman Rosenworcel Announces Term Extension of the Commission's Native Nations Communications Task Force and Seeks Nominations for Vacancies*, Public Notice, DA 21-764, (June 28, 2021). The Task Force currently has twenty-nine (29) members comprised of twenty-one (21) representatives of Tribal Nations and eight (8) FCC senior officials and is led by two Co-Chairpersons – a Commission Co-Chair, Chief of the Office of Native Affairs and Policy, and a Tribal Co-Chair elected by the Tribal Members. The Commission is currently seeking to fill four Tribal Nation vacancies.

<sup>2</sup> Additional information can be found in *Chairman Pai Announces New Appointments to the Native Nations Communications Task Force*, Public Notice, 33 FCC Rcd 10152 (2018). Pursuant to the "intergovernmental communication" exemption in Section 204(b) of the Unfunded Mandates Reform Act of 1995 ("UMRA"), 2 U.S.C. § 1534(b), the Task Force is not subject to the requirements or procedures set forth in the Federal Advisory Committee Act ("FACA"), 5 U.S.C. App. 2 (1988). Section 204(b) of UMRA provides an exemption from FACA for intergovernmental communications involving meetings between Federal officials and Federal employees and "elected officers of State, local and Tribal governments (or their designated employees with authority to act on their behalf) acting in their official capacities." Therefore, applicants for the Task Force must be individuals who satisfy these requirements.

<sup>3</sup> See *id.*

of culture, priorities and economic development. The Commission is particularly interested in applicants with diverse professional experience and backgrounds in broadband, telecommunications, broadcast, information technology, and infrastructure deployment and broadband adoption.

### **Obligations of Task Force Members**

Members will serve at the discretion of the Acting Chairwoman of the Commission. At this time, the full Task Force is intended to meet twice a year.<sup>4</sup> The Task Force supplements these semi-annual meetings with virtual working meetings throughout the year. While full participation is expected, Tribal Task Force members are required to attend fifty percent (50%) of the annual meetings, to include at least one full meeting, and at least two other working meetings. The Commission is currently evaluating when in-person meetings will resume. Once they resume, in-person attendance at Task Force meetings will be at the Tribal Task Force member's own expense.

### **Application Procedures, Deadline and Member Appointments**

All applications should be received by the Commission as soon as possible, but no later than **September 27, 2021**.

#### **All Applicants**

No specific nomination form is required; however, each nomination must include the following information:

- Name and position of the applicant with respect to a Tribal government.
- Telephone number.
- Mailing address and/or e-mail address.
- A brief description of the nominee's area(s) of expertise and qualifications to serve on the Task Force.

#### **Designated Employees**

In the case of a person seeking to serve as a "designated employee," the application must also identify by name and position the elected Tribal officer on whose behalf the employee would be acting and must include a letter from that officer designating the applicant to represent them on the Task Force.

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<sup>4</sup> Pursuant to the 2018 NNCTF Renewal PN, the Task Force was to meet in person twice a year, with one meeting held at the Commission in Washington, DC and the other held in the field, with supplemental teleconferences throughout the year. *FCC Seeks Nominations for Tribal Government Representatives to Serve on Renewed Native Nations Communications Task Force*, Public Notice, 33 FCC Rcd 1264 (2018) ("2018 NNCTF Renewal PN"). While full participation was expected, Task Force members were required to attend fifty percent (50%) of the annual meetings, to include at least one in-person meeting, and at least two teleconferences. We have modified these obligations to attendance at virtual meetings to reflect on-going meeting and travel restrictions due to the COVID-19 pandemic.

A designated employee must be on the staff of a Tribal government, and part of the governmental process. Following these procedures will ensure that the Task Force may operate with adequate flexibility and within its FACA-exempt status. The designated employee's experience and qualifications should be commensurate with the functions of the Task Force, and not ministerial.

### **Alternates**

The nomination for a new appointment to the Task Force may also include the nomination of an alternate representative who can participate in the event the primary member (whether an elected official or a designated employee) is unavailable for a meeting or to work on tasks. An alternate's participation will not count towards the participation of the primary member and should the primary member cease to serve or qualify to serve, the alternate does not become a replacement. The alternate representative's experience and qualifications should be commensurate with the functions of the Task Force, and not ministerial, such as a professional or administrative assistant.

### **Submission of Applications**

All applications, including the requisite statements listed above, should be submitted by email to [native@fcc.gov](mailto:native@fcc.gov). If it is not possible to submit the required information through email, please contact Janet Sievert at (202) 418-1362 (voice) to determine another method of delivery.

### **Accessible Formats**

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice).

### **Additional Information**

For additional information, please contact Janet Sievert, Senior Legal Advisor, Office of Native Affairs and Policy, (202) 418-1362 (voice) or [janet.sievert@fcc.gov](mailto:janet.sievert@fcc.gov).