



# PUBLIC NOTICE

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DA 22-844  
Released: August 10, 2022

## FCC SOLICITS SECOND ROUND OF NOMINATIONS FOR MEMBERSHIP FOR CONSUMER ADVISORY COMMITTEE

By this Public Notice, the Federal Communications Commission (Commission) solicits nominations for membership on the Consumer Advisory Committee (Committee). Nominations for membership are due September 21, 2022.

### PURPOSE AND FUNCTION

The Committee's mission is to make recommendations to the Commission regarding topics of particular interest to consumers, to be specified by the Commission, and to facilitate consumers' participation in proceedings before the Commission. For additional background about the Committee, see its website: <https://www.fcc.gov/consumer-advisory-committee>.

### BACKGROUND

On July 1, 2022, the Commission announced its intent to recharter the Committee following consultation with the Committee Management Secretariat, General Services Administration (GSA).<sup>1</sup> It is anticipated that the renewed charter will become effective on or about October 16, 2022, providing for another two-year term of the Consumer Advisory Committee (CAC). In the same announcement, the Commission sought nominations for membership on the Committee.<sup>2</sup>

The Committee will operate in accordance with the Federal Advisory Committee Act, 5 U.S.C. App. 2. Each meeting of the Committee will be open to the public. A notice of each meeting will be published in the Federal Register at least fifteen (15) days in advance of the meeting. Records will be maintained of each meeting and will be made available for public inspection.

The Commission will determine the appropriate Committee size necessary to effectively accomplish the Committee's work. While there is no required number of meetings, the Committee typically holds meetings three times per calendar year, to be conducted in Washington, D.C., and/or by video conference.

Members of the Committee will be expected to participate in at least one working group; depending on the issues the Commission directs the Committee to address, the time commitment for working group

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<sup>1</sup> *FCC Announces Anticipated Renewal of its Consumer Advisory Committee and Solicits Nominations for Membership*, Public Notice, DA 22-710 (CGB Jul. 1, 2022). Candidates who submitted nominations in response to this first solicitation need not re-submit those nominations.

<sup>2</sup> *Id.*

participation may be substantial. Working group deliberations are conducted primarily through email and teleconferences. Meetings will be accessible to individuals with disabilities.

## **WHO MAY APPLY FOR MEMBERSHIP AND OBLIGATIONS OF MEMBERS**

The Commission seeks nominations from interested nonprofit organizations, corporations, trade associations, government agencies, or other entities from both the public and private sectors, who wish to be considered for Committee membership for a two-year term of service. Selections will be made based on factors such as expertise and diversity of viewpoints that are necessary to effectively address the topics before the Committee. Individuals may also apply for membership in their individual capacities rather than as representatives.

All organizational and all individual members appointed to the Committee or its working groups are subject to an ethics review by the Commission's Office of General Counsel. Some applicants possessing expertise or perspectives of interest to the Committee, and who have been appointed to serve on the Committee in an individual capacity (and not as the representative of a nonprofit organization, corporation, or other entities), are deemed to be Special Government Employees (SGEs). Such individuals are ineligible to serve if they are federally registered lobbyists. SGEs are subject to a variety of restrictions under the conflict of interest statutes, 18 U.S.C. § 203 et seq., and the Standards of Ethical Conduct for Employees of the Executive Branch, 5 C.F.R. Part 2635. SGEs must file confidential employee financial disclosure reports prior to beginning their service and annually thereafter. SGEs will also be subject to ethics restrictions in section 4(b) of the Communications Act, 47 U.S.C. § 154(b), and in the Commission's rules, 47 CFR Part 19 and 5 CFR Parts 3901 and 3902.

All members will have an initial and continuing obligation to disclose any interests in, or connections to, persons or entities that are, or will be, regulated by or have interests before the Commission and report any changes in representation during their tenure on the federal advisory committee. Committee members will not be compensated for their service.

## **NOMINATION PROCEDURE, DEADLINE, AND MEMBER APPOINTMENTS**

All nominations must be received by the Commission by no later than six weeks after release, 2022, and should be submitted via an online nomination form at <https://www.fcc.gov/consumer-advisory-committee> unless use of that form would present a hardship, in which case the information and documents specified below may be submitted by email to [CAC@fcc.gov](mailto:CAC@fcc.gov). Nominations will be acknowledged shortly after receipt.

## **APPLICATION PROCEDURE FOR INDIVIDUALS**

Individuals seeking to serve as Special Government Employee members of the Committee should include the following application information:

- Name and title of the applicant; current mailing address, email address, and telephone number.
- A statement summarizing the applicant's qualifications and reasons why the applicant should be appointed to the Committee. That statement shall include the individual's specific knowledge or expertise that is relevant to the Committee, including a statement that the applicant is not a registered lobbyist (as noted above, financial and other additional disclosures may also be required);
- A statement that the applicant does not have a contractual or other financial agreement (including as a subcontractor) with the Commission;

- A statement indicating a willingness to serve on the Committee for a two-year term, a commitment to attend at least three meetings per year (to be conducted in Washington, DC, and/or by video conference);
- A commitment to participate in at least one working group;
- An acknowledgement that the individual will not be entitled to receive reimbursement of travel expenses or payment of honoraria or other compensation from the Commission;
- A statement indicating whether the individual has served on the Committee previously, the dates of such service and any working group(s) in which the individual applicant participated;
- A current resume; and,
- A statement that the applicant does not have clients with matters before the FCC or with matters which may come before the Committee.

#### APPLICATION PROCEDURE FOR ORGANIZATIONAL APPLICANTS

Applications from nonprofit organizations, corporations, trade associations, government agencies, or other entities (“organizational applicants”) should include the following:

- The name of the entity nominating a representative and alternate representative (if any) to serve on the Committee on its behalf;
- A statement indicating whether a representative for the entity has served on the Committee previously, the dates of such service, and any working group(s) in which the entity’s representative(s) participated;
- A statement indicating the nature of the entity’s interests (*e.g.*, consumer advocate, disability advocate, government regulator, tribal government, industry, trade association, etc.) and the benefit of having the organization represented on the Committee;
- The name of the entity’s proposed primary representative, including title, postal mailing address, email address, and telephone number;
- The name of the entity’s proposed alternate representative (if any), including title, postal mailing address, email address, and telephone number;
- Current resumes of the entity’s proposed primary and alternate representatives;
- A statement summarizing each nominee’s qualifications and reasons why the nominee should be appointed to the Committee to represent the organizational applicant;
- A statement by the entity indicating a willingness to have its representatives serve on the Committee for a two-year term, a commitment that its representative or alternative representative will attend at least three meetings per year (to be conducted in Washington, D.C., and/or by video conference);
- A commitment that its representative or alternate representative will participate in at least one working group;
- An acknowledgement that neither the entity nor its representatives will receive reimbursement of travel expenses or payment of honoraria from the Commission; and,
- A narrative statement detailing the entity’s representative’s and alternate representative’s previous involvement concerning issues relevant to the Committee’s work and their ability and willingness to contribute substantively to the Committee’s deliberations.

Additional Requirements for Organizational Applicants.

1. An organizational applicant nominating a primary or alternate representative to serve on its behalf on the Committee must submit written confirmation by an authorized person (*e.g.*, an official of the organizational applicant) that such entity wants the representative to serve on its behalf. The nominating official must possess the executive authority or hold a sufficiently high-level position within the organization to select a representative whose actions will be legally binding on the

organizational applicant. For example, this confirmation may be in the following format: “I am [insert official’s name], the [insert official’s title] at the [insert name of organization - e.g., company, government entity, trade association, etc.], with responsibilities for [concise description of position]. My organization would like [insert proposed representative’s name], who is currently [an employee of/consultant/attorney to the company] to serve as our representative on the FCC Consumer Advisory Committee.”

2. For nominees seeking to represent an entity that is a party to an FCC contract or subcontract or providing services for the benefit of the FCC under contract or subcontract, or in the case of any applicant or nominee who is individually a party to such a contract or providing services for the benefit of the FCC under such a contract, the nomination must include the following:
  - A general description of the contract/agreement;
  - A description of the product/services that the applicant provides pursuant to the contract/agreement;
  - A list of all parties to the contract/agreement;
  - The name of the Commission contracting officer (if known); and,
  - A certification made by the applicant or nominee that the applicant or nominee has provided written notice to the contracting officer and the FCC Manager, Contracts and Purchasing Center, that the applicant or representative nominee, as applicable, has applied for membership on the Commission’s Consumer Advisory Committee.
3. All nominees are required to disclose whether they represent clients before the FCC or represent clients in matters that may come before the CAC, other than representing the organizational applicant that has nominated the proposed representative for service on the CAC. Each nominee shall provide with the application all details of any such representation.

The Commission may solicit nominations by methods other than this Public Notice, but all candidates will be subject to the same evaluation criteria. After the Commission has reviewed nominations, it will notify all nominees in writing concerning the disposition of their applications, and it will release a Public Notice announcing appointment of the Committee members and the date of the Committee’s first meeting.

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 FCC’s Consumer and Governmental Affairs Bureau at 202-418-0530 (voice).

For further information contact:

Mike Hennigan, Liaison to the Consumer Advisory Committee, 202-418-2869 (voice or relay), [CAC@fcc.gov](mailto:CAC@fcc.gov).

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