



PUBLIC NOTICE

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FCC ANNOUNCES ANTICIPATED RENEWAL OF ITS DISABILITY ADVISORY COMMITTEE AND SOLICITS NOMINATIONS FOR MEMBERSHIP

By this Public Notice, the Federal Communications Commission (FCC or Commission), consistent with the Federal Advisory Committee Act (FACA),¹ announces its intent to recharter the Disability Advisory Committee (DAC or Committee). The Commission intends to recharter the DAC for a period of two (2) years following consultation with the Committee Management Secretariat, General Services Administration. By this Public Notice, we seek nominations for membership.

PURPOSE AND FUNCTION

The mission of the Committee is to make recommendations to the Commission regarding disability issues specified by the Commission. Disability issues addressed by the Commission include advanced communications services and equipment, access to 911, hearing aid compatibility, the National Deaf-Blind Equipment Distribution Program, telecommunications relay services, telecommunications services and equipment, access to televised emergency information, accessible user interfaces on video programming apparatus and access to program guides and menus provided by navigation devices, audio description, and closed captioning.

The DAC would provide recommendations to the Commission on disability access issues as specified by the Commission, gather data and information, and perform those analyses that are necessary to respond to the questions or matters before it.

BACKGROUND

Members will serve at the discretion of the Chairperson of the FCC. Members will be encouraged to participate in deliberations of at least one (1) informal subcommittee or subgroup, if any are established. The time commitment for participation in any informal subcommittee or other subgroup may be substantial. However, subcommittee or other subgroup meetings may be conducted informally, using suitable technology to facilitate the meetings, subject to oversight by the Designated Federal Officer of the DAC. The Commission will determine the appropriate Committee size necessary to effectively accomplish the Committee's work.

Meetings of the full Committee shall be open to the public and timely notice of each meeting shall be published in the Federal Register and shall be further publicized through other appropriate vehicles. All meetings will be fully accessible to individuals with disabilities.

¹ 5 U.S.C. App. 2.

WHO MAY APPLY FOR MEMBERSHIP AND OBLIGATIONS OF MEMBERS

The Commission seeks nominations from consumer organizations, industry and trade associations, corporations, governmental entities, or other entities from both the public and private sectors that wish to be considered for membership on the Committee. Selections will be based on factors such as expertise and diversity of viewpoints necessary to effectively address the topics before the Committee.

All organizational or 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 entity), 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. The Commission anticipates that while it may appoint persons to serve as SGEs on working groups, it is unlikely to appoint such individuals to serve on the parent DAC.

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

Nominations for membership must be submitted to the FCC no later than Friday, October 14, 2022. All applications, including the requisite information and statements listed below, should be submitted via an online application form at <https://www.fcc.gov/disability-advisory-committee/membership-application>. Starting March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings at the Commission's headquarters. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19.² Because mail delivery may be delayed by security screening and precautionary measures due to the COVID-19 pandemic, interested parties are required to submit applications online. Please contact Joshua Mendelsohn, DAC's Designated Federal Officer (DFO) at DAC@fcc.gov if any organizations experience difficulties submitting nominations via the online application form.

APPLICATION PROCEDURE FOR ORGANIZATIONS

Applications from nonprofit organizations, corporations, or other entities ("organizational applicants") should include the following:

- The name of the organizational applicant applying for Committee membership (including whether the organizational applicant has previously had representatives that served on the Committee);

² *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, DA 20-304 (March 19, 2020), <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.

- The name of the organizational applicant's nominee as its primary representative, including title, mailing address, email address, and telephone number of that nominee;
- The name of the organizational applicant's nominee as its alternate representative, including title, mailing address, email address, and telephone number of that nominee;
- A statement of the interests represented by the organizational applicant noting the constituency represented by the organizational applicant (e.g., persons with disabilities, government entity, industry, trade association), as well as the benefit of having the organization represented on the Committee;
- A statement summarizing the nominees' qualifications and reasons why the nominees should be appointed to represent the organizational applicant on the Committee;
- Current resumes of the organizational applicant's nominees for primary and alternate representatives that describes their educational background and professional experience;
- A statement by the organizational applicant indicating a willingness to serve on the Committee for a two-year term, a commitment to attend at least three plenary one-day Committee meetings per year (to be conducted in-person or, if appropriate, by teleconference), a commitment to work on at least one working group or subcommittee, and an acknowledgement that the organizational applicant (and its nominees) will serve without reimbursement of travel expenses or payment of honoraria, and;
- A narrative statement detailing the organizational applicant's previous involvement with issues relevant to the Committee's work and its ability and willingness to contribute substantively to the Committee's deliberations through its representatives.

An organizational applicant nominating a primary and 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 the representative is authorized to serve on its behalf. The nominating official must possess the executive authority or hold a sufficiently high-level position within the organization or company to select a representative whose actions will be legally binding on the organization or company. 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 supports the nomination of [insert proposed member's name], who is currently [an employee of/consultant/attorney to the company], to serve as its representative on the Commission's Disability Advisory Committee."

Where nominees are 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 where the applicant or nominee is individually a party to such a contract or providing services for the benefit of the FCC to other entities or organizations under such a contract, the application must include the following: 1) a general description of the contract/agreement; 2) a description of the product/services that the applicant or nominee provides pursuant to the contract/agreement; 3) a list of all parties to the contract/agreement; 4) the name of the Commission contracting officer (if known); and 5) a certification of 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 nominee, as applicable, has applied for membership on the Commission's Disability Advisory Committee.

All nominees are required to disclose whether they represent clients in matters before the FCC or in matters that may come before the DAC, other than representing the organizational applicant that has nominated them for service on the DAC, and nominees shall provide all relevant details of any such representation.

APPLICATION PROCEDURES FOR INDIVIDUALS

Applications from individual applicants who would serve as SGEs, as defined above, are primarily for certain Working Group memberships and should include the following:

- The individual applicant's name;
- The individual applicant's mailing address, e-mail address, and telephone number;
- A description of the organization, if any, by whom the applicant is employed;
- A statement summarizing the individual applicant's qualifications, including specific knowledge or expertise that is relevant to the Committee, and reasons why the individual applicant should be appointed to a working group of the DAC or possibly the parent DAC;
- A statement that the individual applicant does not have a contractual or other financial agreement (including as a subcontractor) with the Commission;
- A statement that the individual applicant is not a registered federal lobbyist;
- A statement by the individual applicant indicating a willingness to serve on the Committee for a two-year term, a commitment to attend at least three plenary one-day meetings per year (to be conducted in-person or, if appropriate, by teleconference), a commitment to participate in at least one working group or subcommittee; and an acknowledgement that the individual applicant will serve without reimbursement of travel expenses or payment of honoraria;
- A statement as to whether the individual applicant has served on the Committee previously; and
- A current resume or biography that describes the individual applicant's educational background and professional experience.

Further, as noted above, financial and other additional disclosures may also apply to individual applicants.

Please note this *Public Notice* is not intended to be the exclusive method by which the Commission will solicit nominations to identify qualified candidates; however, all candidates for membership on the Committee will be subject to the same evaluation criteria. Members will be appointed for a term not to exceed the expiration date of the Committee's charter.

After the applications have been reviewed, and upon renewal of the Committee's charter, the Commission will publish a notice in the Federal Register announcing the appointment of the Committee members and the first meeting date of the Committee. All applicants will be notified concerning the disposition of their applications.

For further information about the Committee or for assistance, please visit www.fcc.gov/dac or contact Joshua Mendelsohn, DAC DFO, at dac@fcc.gov or (202) 559-7304 (voice or videophone).

ACCESSIBLE FORMATS

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call (202) 418-0530 (voice) or 844-432-2275 (videophone).

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