



PUBLIC NOTICE

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FCC SEEKS NOMINATIONS FOR MEMBERSHIP ON COMMUNICATIONS EQUITY AND DIVERSITY COUNCIL

The Federal Communications Commission (Commission) is seeking nominations for membership on the Communications Equity and Diversity Council (CEDC or Committee). Following consultation with the General Services Administration, the Commission anticipates renewing the charter of the CEDC, for a period of two (2) years starting on or about June 22, 2023.

Nominations for membership to the Committee should be submitted to the FCC no later than 11:59 PM ET, June 30, 2023. Procedures for submitting nominations are set forth below.

MISSION

The mission of the Committee is to make recommendations to the Commission on advancing equity in the provision of and access to digital communication services and products for all people of the United States, without discrimination on the basis of race, color, religion, national origin, sex, or disability. It shall provide recommendations to the Commission on how to empower people of color and others who have been historically underserved, including persons who live in rural areas, and persons otherwise adversely affected by persistent poverty or inequality, to access, leverage, and benefit from the wide range of opportunities made possible by technology, communication services, and next-generation networks.

In carrying out this mission, the Committee will make recommendations to the Commission on how to accelerate the deployment of high-speed Internet access, or “broadband,” in all communities by reducing and/or removing regulatory barriers to infrastructure and investment, and by making recommendations on how to strengthen existing broadband networks and develop new ones. This Committee is intended to provide an effective means for stakeholders to exchange ideas and develop recommendations on broadband deployment and combatting digital discrimination, which will in turn enhance the Commission’s ability to carry out its statutory responsibilities regarding broadband deployment.

The Committee will also make recommendations to the Commission on how to accelerate the entry of small businesses, including those owned by women and minorities, into the media, digital news and information, and audio and video programming industries, including as owners, suppliers, and employees.

This Committee is intended to provide an effective means for stakeholders to exchange ideas and develop recommendations to the Commission on access to capital, small business mentoring, upskilling for employment in media and technology industries, media ownership diversity, and procurement opportunities. In doing this, the Committee will also evaluate methods to facilitate the incubation and

participation of small, diverse businesses in the provision of communications products and services to all communities. Such small businesses include those owned by people of color, women, veterans, LGBTQ+ and persons with disabilities. This mission will facilitate the Commission's goals of enhancing equitable access to digital technologies, particularly to communities that are underserved, lower-resourced or subject to persistent poverty or inequality. The Committee's work is also intended to enhance the Commission's ability to advance equity and diversity in the communications industry and carry out its statutory responsibility to promote policies favoring diversity of media voices, localism, vigorous economic competition, technological advancement, and promotion of the public interest, convenience, and necessity.

BACKGROUND

The Committee is organized under, and will operate in accordance with, the provisions of the Federal Advisory Committee Act (FACA).¹ As authorized by FACA, the Committee may facilitate its work through informal subcommittees, or other subgroups of the Committee, which shall report their activities and recommendations to the Committee as a whole.

The Commission may ask the Committee to create written recommendations or reports to the Commission. The time commitment for participation in any subcommittee or other subgroup may be substantial as such groups may be asked to submit recommendations or reports to the full Committee for its consideration. 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 CEDC.

Members will serve at the discretion of the Chairwoman of the Commission. Members must be willing to commit to a two-year term of service from the date of re-charter of the Committee and should be willing and able to attend approximately three (3) one-day plenary committee meetings per year during the Committee's term. Members also will be encouraged to participate in deliberations of at least one (1) subcommittee or other subgroup, if any are established. The Commission will determine the appropriate Committee size necessary to effectively accomplish the Committee's work. Members who fail to regularly attend and participate in subcommittee or plenary committee meetings without excuse for their absence may, at the FCC's discretion, be removed.

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

WHO MAY APPLY FOR MEMBERSHIP AND OBLIGATIONS OF MEMBERS

The Commission seeks applications for membership as a primary representative or as an entity's alternate from representatives of various sectors of the communications industry, representatives of state and local regulators, and representatives of consumers and community organizations that wish to be considered for membership on the Committee. Individuals may also apply for membership in their individual capacities. The Commission is particularly interested in receiving nominations and expressions of interest from individuals and organizations in the following categories:

- Organizations and other entities representing disadvantaged communities, such as those with racial, social, or economic disadvantages, as well as small businesses, including those owned by

¹ 5 U.S.C. 10.

- women, minorities, people of color, LGBTQ+ and veterans;
- Federal, state, local, and Tribal government agencies;
- Broadcast stations, cable operators, satellite operators, other multichannel video programming distributors, content companies, online video distributors, broadband providers, public interest/consumer/social justice and equity groups, academicians, think tanks, financial institutions including brokerage companies, venture capital, and private equity firms;
- Minority-serving institutions, including Historically Black Colleges and Universities (HBCUs), Hispanic-Serving Institutions (HSIs), Tribal Colleges and Universities (TCUs), and Asian American, Native Hawaiian and Pacific Islander Serving Institutions (AANHPIs);
- Tech entrepreneurship support organizations that support, incubate, finance and mentor diverse tech start-up organizations and businesses; and
- Qualified representatives of other stakeholders and interested parties with relevant experience.

Members will be selected to balance the expertise and viewpoints that are necessary to effectively address the issues to be considered by the Committee. Members will be appointed as representatives of their organizations or, if appropriate, in their individual capacities as “Special Government Employees.” The application requirements for each of those categories are described below. 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. Committee members will not be compensated for their service or for related expenses, including travel expenses.

Consistent with Executive Order 14035 (June 25, 2021) and other governing law, the Commission values and welcomes opportunities to increase diversity, equity, inclusion, and accessibility on its federal advisory committees. The Commission’s federal advisory committees strive for a membership that reflects the diversity of the American people.

Applicants possessing expertise or perspectives of interest to the Committee who have requested to serve in an individual capacity as an SGE shall be eligible only if they are not 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 C.F.R. Part 19 and 5 C.F.R. 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 shall promptly report to the DFO any changes in representation during their tenure on the federal advisory committee.

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.

APPLICATION PROCEDURES AND DEADLINE FOR ORGANIZATIONAL NOMINATIONS

All nominations should be submitted to the Commission as soon as possible, but no later than 11:59 PM ET, June 30, 2023. Please indicate if the nominee is seeking consideration for Chair or Vice-Chair of the Committee or would be willing to serve as the head of a subcommittee after they are formed. All nominations, including the requisite statements listed below, should be submitted by e-mail to CEDC@fcc.gov.

No specific nomination form is required; however, each nomination for a primary representative or an alternate must include the following information:

- Name, title, and organization of the nominee;
- The nominee's mailing address, e-mail address, and telephone number;
- A description of the organization's business, including the telecommunications sector or other interests that are relevant to the Committee's business, and a statement of the benefit of having the organization represented on the Committee;
- A statement summarizing the nominee's qualifications and reasons why the nominee should be appointed to the Committee, including a narrative detailing the nominee's involvement in issues relevant to the Committee as well as a current resume of the nominee;
- A statement by the organization indicating a willingness to have its representative serve on the Committee for a two-year term, attend at least three Committee meetings, and participate in at least one working group;
- An acknowledgement that neither the organization nor its representative will receive reimbursement of travel expenses or honoraria from the Committee.

An organizational applicant nominating a representative to serve on its behalf on the Committee must submit a written confirmation by an authorized person (*e.g.*, organization or company official) that such organization or company wants the nominee to serve on its behalf on the Committee. The nominating official must possess the executive authority or hold a sufficiently high-level position with 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 member's name], who is currently [an employee of/consultant/attorney to the company] to serve as our representative on the Commission's Communications Equity and Diversity Council."

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 Communications Equity and Diversity Council.

In addition, organizational nominees are required to disclose whether they represent clients before the FCC or represent clients in matters that may come before the Committee, other than representing the organizational applicant that has nominated the proposed representative for service on the Committee. Each nominee shall provide with the application all details of any such representation.

APPLICATION PROCEDURES FOR INDIVIDUALS TO SERVE AS SGE MEMBERS

Nominations should be submitted to the Commission as soon as possible, but no later than 11:59 PM ET, June 30, 2023. Please indicate if the nominee is seeking consideration for Chair or Vice-Chair of the Committee or would be willing to serve as the head of a subcommittee after they are formed. All nominations, including the requisite statements listed below, should be submitted by e-mail to CEDC@fcc.gov.

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 work of 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, and 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 current resume;
- A statement that the applicant does not have clients with matters before the FCC or with matters which may come before the Committee.

FURTHER INFORMATION

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 or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 1-888-835-5322 (TTY).

For additional information about the Committee, please contact Jamila Bess Johnson, the Designated Federal Officer for the Communications Equity and Diversity Council, at 202-418-2608, or Jamila.Bess-Johnson@fcc.gov.

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