

**U.S. DEPARTMENT OF COMMERCE
NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION
COMMERCE SPECTRUM MANAGEMENT ADVISORY COMMITTEE**

MEMBERSHIP BALANCE PLAN

(1) Federal Advisory Committee Name. Commerce Spectrum Management Advisory Committee (Committee or CSMAC).

(2) Authority. The Secretary of Commerce established CSMAC pursuant to the President’s Memorandum on Improving Spectrum Management for the 21st Century, dated November 29, 2004¹; under the authority of the National Telecommunications and Information Administration Organization Act, 47 U.S.C. § 904(b); and in accordance with the Federal Advisory Committee Act, as amended (FACA), 5 U.S.C. § 1001 et seq. The Committee is continued as provided in Executive Order 14109, titled “Continuance of Certain Federal Advisory Committees and Amendments to Other Executive Orders,” dated September 29, 2023.

(3) Mission/Function. As detailed in its charter, the Committee advises the Assistant Secretary of Commerce for Communications and Information (Assistant Secretary) on a broad range of spectrum policy issues. The Committee provides advice and recommendations to assist in developing and maintaining spectrum management policies that enable the United States to maintain or strengthen its global leadership role in the introduction of innovative communications technologies and services, thus expanding the economy, adding jobs, and increasing international trade, while at the same time providing for the expansion of existing technologies and supporting the needs of the country’s homeland security, national defense, and other critical government missions. The Committee serves to facilitate increased understanding of the perspectives of all spectrum users.

(4) Points of View. Under the Committee’s charter, the CSMAC may have no fewer than five (5) members and no more than thirty (30) members. Membership balance is not static and may change, depending on the work of the Committee.

NTIA will conduct a review of applicants and make recommendations to the Secretary for appointments. NTIA will consider a number of factors to determine each applicant's expertise in radio spectrum policy, including:

- a. Educational background (*e.g.*, advanced degree in engineering, computer science, economics, law, or public policy);
- b. Professional experience and accomplishments (*e.g.*, nature of work, projects, or publications); and

¹ Memorandum for the Heads of Executive Departments and Agencies, *Improving Spectrum Management for the 21st Century*, released November 30, 2004.

- c. Current employment and membership in associations or similar organizations (*e.g.*, technology developers and manufacturers, academia, civil society, and service providers with customers in both domestic and international markets).

All appointments are made without discrimination on the basis of age, race, ethnicity, gender, sexual orientation, disability, cultural, religious, or socioeconomic status. As noted in the charter, no member of the Committee shall be a federally registered lobbyist.

The Department of Commerce has determined that members will be selected to serve on the Committee based upon their expertise in radio spectrum policy. Each member will not represent any organization or interest. The Secretary will appoint members to serve as Special Government Employees as that term is defined in 18 U.S.C. § 202.

(5) Other Balance Factors. The Committee membership will be fairly balanced in terms of the points of view represented by members and the functions to be performed. It will reflect a balanced cross-section of interests in spectrum management and policy reform that may include non-federal spectrum users; state, regional, and local government; technology developers and manufacturers; academia; civil society; and service providers with customers in both domestic and international markets. The diverse membership of the Committee assures expertise reflecting the breadth of the Committee's responsibilities and, where possible, the Department of Commerce will also consider the ethnic, racial, and gender diversity and various abilities of the United States population.

(6) Candidate Identification Process. NTIA, through the Designated Federal Officer (DFO), will solicit nominations through the issuance of a notice published in the Federal Register. During the pendency of the application period, as stated in the Federal Register notice, NTIA will conduct additional outreach through its website, public events, and meetings with individuals and groups in relevant industry sectors, academia, and civil society organizations to encourage a deep pool of qualified and diverse nominees.

Upon receipt of applications, the DFO will develop a candidate list that will be evaluated by NTIA staff, including, but not limited to, the Associate Administrator of the Office of Spectrum Management. The list will then be presented to the Assistant Secretary of Commerce for review and identification of candidates to be recommended to the Secretary for appointment. The Secretary will appoint members and issue appointment letters following established Department of Commerce review, vetting, and appointment procedures.

Members will be appointed for up to a two-year term and may be reappointed for additional terms. If any vacancies occur during the life of the Committee, depending on the needs of the agency, NTIA may recommend that the Secretary fill vacancies and will strive to do so no later than six (6) months after the position is vacated. When filling vacancies, the DFO may recommend any of the following:

- a. A new solicitation for new nominations published in the Federal Register in accordance with regular procedures; or

- b. Selection of a replacement from an existing list of candidates with nominations received within the previous year.

(7) Subcommittee Balance. Not applicable.

(8) Other. Not applicable.

(9) Date Prepared/Updated. November 17, 2023.