

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

CHARTER

1. Committee’s Official Designation (Title). 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. Objectives and Scope of Activities. 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.

The Committee will focus on advising the Assistant Secretary on the execution of national policy objectives that advance spectrum-based innovation including facilitating wireless broadband access, space-based services, and other emerging technologies. The Committee may provide advice and recommendations on needed reforms to domestic and international spectrum policies and management in order to: (1) foster increased spectrum sharing among all users, (2) promote innovation and rapid advances in technology that support more efficient spectrum usage, (3) authorize radio systems and frequencies in a way that maximizes the benefits to the public, and (4) make wireless services available to all Americans.

The CSMAC’s advice and recommendations may address, but is not limited to, the following topics: expediting the introduction of broadband services, especially in rural and underserved areas; assisting in efforts to encourage the establishment of long-range spectrum planning processes; identifying international opportunities to advance U.S. economic interests through spectrum management; providing input on new directions in technology and market trends; examining how best to leverage radio frequency-related research, development, testing, and evaluation efforts; exploring ways to foster more efficient and innovative uses of electromagnetic spectrum resources across the federal government, subject to and consistent with the needs and missions of federal agencies; exploring new issues associated with spectrum sharing, including

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

harmful interference and associated enforcement challenges; developing balanced policies that promote both licensed and unlicensed access to spectrum; and promoting the interoperability and transparency of federal and non-federal spectrum uses.

4. Description of Duties. The Committee will provide advice and recommendations only, and all activities will be in compliance with the provisions of the FACA. It may also provide a forum for stakeholders to present current and emerging issues in spectrum management, policy, reform, and technology.

5. Agency or Official to Whom the Committee Reports. The Committee will report and provide advice to the Assistant Secretary.

6. Support. The National Telecommunications and Information Administration (NTIA) will provide support to the Committee.

7. Estimated Annual Operating Costs and Staff Years. The estimated annual operating cost associated with supporting the CSMAC's functions is \$45,000 per year, including all direct and indirect expenses (such as NTIA staff support). It is estimated that 0.11 full-time equivalent employees will be required to support the Committee and its subgroups.

8. Designated Federal Officer. The Assistant Secretary will designate a full-time or permanent part-time NTIA employee to serve as the Designated Federal Officer (DFO) for the CSMAC. In accordance with the FACA, the DFO will approve or call all the CSMAC's meetings and subcommittees' meetings, prepare and approve all meeting agendas, attend all committee and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the Assistant Secretary.

9. Estimated Number and Frequency of Meetings. It is anticipated that the Committee will meet approximately quarterly, as determined by the Chair or Co-Chairs and subject to the call of the DFO.

10. Duration. Continuing, subject to the Termination section below.

11. Termination. Unless extended by the President, the Committee will terminate on September 30, 2025 (pursuant to Executive Order 14109, titled "Continuance of Certain Federal Advisory Committees and Amendments to Other Executive Orders," dated September 29, 2023).

12. Membership and Designation. The CSMAC will have no fewer than five (5) members and no more than thirty (30) members. The Secretary of Commerce will appoint members to the Committee who will serve at the Secretary's pleasure and discretion. Members will be appointed for up to a two-year term and may be reappointed for additional terms. No member of the CSMAC shall be a registered lobbyist under the Lobbying Disclosure Act of 1995, as amended, 2 U.S.C. § 1601 et seq. The Assistant Secretary will appoint one or more members from among those appointed by the Secretary to serve as Chair or Co-Chairs of the CSMAC. The Chair or Co-Chairs will serve in the Chair or Co-Chair roles at the pleasure and discretion of the Assistant Secretary.

The Committee 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 CSMAC Membership Balance Plan contains a full description of the required expertise.

Members will serve without compensation, and NTIA will not reimburse members for travel or per diem expenses. NTIA will employ telecommunications services to the maximum extent possible to facilitate the work of the Committee and minimize the costs of participation.

Members of the CSMAC are Special Government Employees (SGEs) as that term is defined in 18 U.S.C. § 202. Special Government Employees are subject to conflict of interest laws and regulations, including (but not limited to) the obligation to annually file a New Entrant Confidential Financial Disclosure Report (OGE Form 450) and complete ethics training. Members will be individually advised of the capacity in which they will serve through their appointment letters.

Members shall not reference or otherwise utilize their membership on the Committee in connection with public statements made in their personal capacities without a disclaimer that the views expressed are their own and do not represent the views of the Commerce Spectrum Management Advisory Committee, the National Telecommunication and Information Administration, the Department of Commerce, or the U.S. Government.

13. Subcommittees. NTIA may approve the creation of subcommittees, working groups, standing committees, ad hoc groups, task groups, or other subgroups as it considers necessary for the performance of the Committee functions pursuant to the provisions of the FACA, the FACA implementing regulations, and applicable Department of Commerce guidance. Any subgroup established will report to the Committee and must not provide advice or work products directly to the Assistant Secretary or NTIA.

14. Recordkeeping. The records of the Committee, formally and informally established subcommittees, or other subgroups of the Committee, will be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. Subject to the Freedom of Information Act, 5 U.S.C. § 552, records presented to or prepared for or by the CSMAC are available for public inspection and, to the extent feasible, on NTIA’s website at <http://www.ntia.doc.gov/category/csmac>.

15. Filing Date. The charter is filed on the date indicated below.

JEREMY PELTER Digitally signed by JEREMY PELTER
Date: 2023.11.21 15:36:29 -05'00'

11.21.2023

Deputy Assistant Secretary for Administration
Performing the non-exclusive functions and duties of the
Chief Financial Officer and Assistant Secretary
for Administration

Date

11/21/2023
Filing Date