U.S. DEPARTMENT OF COMMERCE

CHARTER OF THE SPECTRUM MANAGEMENT ADVISORY COMMITTEE

ESTABLISHMENT

Pursuant to the *President's Memorandum on Improving Spectrum Management for the 21st Century*, dated November 29, 2004, under the Federal Advisory Committee Act, 5 U.S.C., App., and consistent with the National Telecommunications and Information Administration Organization Act, 47 U.S.C. § 904(b), the Secretary of Commerce established the Spectrum Management Advisory Committee (the Committee). The Committee is hereby rechartered pursuant to the Federal Advisory Committee Act.

OBJECTIVES AND DUTIES

1. The Committee will provide advice and recommendations to the Assistant Secretary for Communications and Information on a broad range of issues regarding spectrum policy. In particular, the Committee will provide advice and recommendations on needed reforms to domestic spectrum policies and management in order to: license radio frequencies in a way that maximize their public benefits; keep wireless networks as open to innovation as possible; and make wireless services available to all Americans.

2. The Committee, through a balanced membership, will provide non-Federal Government and private sector input on U.S. spectrum management policy in a manner consistent with greater disclosure and transparency. The Committee serves to facilitate increased understanding among all spectrum users about their respective interests. The Committee will provide advice to the Assistant Secretary for Communications and Information to assist in developing and maintaining spectrum management policies that enable the United States to maintain or strengthen its global leadership role in communications technology and services.

3. The Committee's focus may include, but is not limited to: expediting the introduction of wireless broadband services, especially in rural areas; addressing governmental and commercial concerns regarding public safety spectrum management issues; assisting in efforts to encourage the establishment of long-range spectrum planning processes; identifying international opportunities to advance U.S. economic interests; gathering input on the latest technology and market trends; examining the latest radio-frequency research and development outputs; exploring ways to foster more efficient and more imaginative uses of U.S. spectrum resources; and promoting the interoperability and transparency of Federal and non-Federal spectrum databases.

4. The Committee will act as a liaison between its membership and the Federal Government. It may also provide a forum for stakeholders representing current and emerging issues in spectrum management, spectrum policy, reform and technology.

5. The Committee will recommend approaches and strategies to ensure that the United States remains a leader in the introduction of new wireless technologies, while at the same time providing for the expansion of existing technologies and ensuring that the country's homeland security, national defense, and other critical government needs are satisfied.

6. The Committee will provide advice and recommendations only and will comply fully with the provisions of the Federal Advisory Committee Act.

MEMBERS AND CHAIRPERSON

1. The Committee will have no fewer than five (5) members and no more than twenty-five (25) members. The Committee 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, including non-Federal Governmental users; State, regional, and local sectors; technology developers, and manufacturers; academia; consumer groups; and service providers with customers in both domestic and international markets.

2. Members will be appointed by, and serve at the discretion of, the Secretary of Commerce.

3. Members will be selected on a clear, standardized basis, in accordance with applicable Department of Commerce guidance.

4. Members will be appointed for a two-year term and may be reappointed for additional terms.

5. The Assistant Secretary for Communications and Information will appoint a chairperson for the Committee from among the members appointed by the Secretary. The Chair will serve at the pleasure of the Assistant Secretary for Communications and Information.

ADMINISTRATIVE PROVISIONS

1. The Committee will report to the Assistant Secretary for Communications and Information, National Telecommunications and Information Administration (NTIA), U.S. Department of Commerce.

2. The Assistant Secretary will designate a full-time or permanent part-time employee of NTIA to serve as the Designated Federal Officer (DFO) for the Committee. NTIA staff will support the Committee's activities.

3. It is anticipated that the Committee will meet as often as necessary at the call of the DFO, but not less than twice a year.

4. Members of the Committee are special government employees (SGEs) pursuant to 18 U.S.C. § 202.

5. Members will not require security clearances.

6. Members will serve without compensation and NTIA will not reimburse members for travel or per diem, but will use telecommunications services to the maximum extent possible to facilitate the work of the advisory committee and minimize the costs of participation.

7. The estimated annual operating costs associated with supporting the Committee's functions are $30,000 per year, including all direct and indirect expenses. It is estimated that .20 FTE will be required to support the Committee and its subgroups.

8. The Committee may create, with the concurrence of the Secretary, and in accordance with the relevant provisions of the Department of Commerce Committee Management Handbook (the Handbook), such subcommittees, working groups, standing committees, ad hoc groups, task groups or other subgroups as it considers necessary for the performance of its functions. Any subgroup established by the Committee will report to the Committee and not to NTIA. In addition, the Department and the Committee will establish such operating procedures as required to support the group, consistent with the Federal Advisory Committee Act, as amended, and the Handbook.

9. The records of the Committee, formally and informally established subcommittees, or other subgroups of the committee, shall be handled in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552. They will also be available, to the extent feasible, on the NTIA website at http://www.ntia.doc.gov/advisory/spectrum.

DURATION

This charter shall terminate two years from the date of the filing of this charter with the appropriate U.S. Senate and House of Representatives Oversight Committees unless earlier terminated or renewed by proper authority.

Acting Chief Financial Officer and
Assistant Secretary for Administration

APR 6 2009

Date