

THE FCC'S INDEPENDENT PANEL REVIEWING THE IMPACT OF HURRICANE KATRINA ON COMMUNICATIONS NETWORKS

ABOUT THE FEDERAL ADVISORY COMMITTEE ACT

GENERAL INFORMATION

The Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2 governs the operations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks (hereinafter "Hurricane Katrina Independent Panel" or "Panel").

The guiding principles under FACA are:

- Openness in government;
- Diversity in membership and advice; and
- Public accountability

TIMELY PUBLIC NOTICE OF MEETINGS

The FACA requires that timely notice (generally 15 calendar days notice) of each Panel meeting be published in the *Federal Register* and that other forms of notice be used to inform interested persons of the time, place and agenda of the meeting. Panel meeting notices will appear in the *Federal Register*, Federal Communications Commission releases, Internet postings and other media. Meetings may include teleconferences, video conferencing and Internet communications.

PUBLIC ATTENDANCE

The FACA requires the Panel to permit interested persons to attend its meetings, to appear before the Panel and submit written statements with the Panel, subject to reasonable regulations. Written statements may be submitted to Lisa M. Fowlkes, Designated Federal Officer (lisa.fowlkes@fcc.gov or 445 12th Street, SW, Room 7-C737, Washington, DC 20554) or Jean Ann Collins, Alternate Designated Federal Officer (jeanann.collins@fcc.gov or 445 12th Street, SW, Room 7-A433).

Under certain limited circumstances (*i.e.*, where information to be discussed involves trade secrets, classified government materials, or national security matters related to foreign policy), the meetings or portions of the meetings may be closed with approval of the agency head and after prior notice in the *Federal Register*. The Panel cannot simply announce spontaneously at a meeting that parts of the meeting will be closed or that it will adjourn to another room to discuss a matter.

DOCUMENT AVAILABILITY

Under FACA, the Panel is required to keep detailed minutes including a record of the persons present at the Panel meetings and documents received, issued or approved by the Panel. These documents and all other Panel minutes, transcripts, reports, studies, etc., must be available for public inspection and copying. Publicly available documents will be made available for copying and inspection at the FCC's Reference Information Center, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. Information about the Panel, including certain publicly available documents (e.g., public notices, agendas, transcripts, written public comments) may also be posted on the Panel's website.

ROLE OF PANEL CHAIR – NANCY J. VICTORY

Duties include:

- Serving as focal point for Panel members.
- Establishing subcommittees/naming chairs.
- Conducting all Panel meetings and suggesting meeting agenda.

DESIGNATED FEDERAL OFFICER - LISA FOWLKES

Alternate: Jean Ann Collins

Duties include:

- Calling meetings and approving agendas.
- Attending meetings.
- Chairing and closing meetings as necessary.
- Maintaining all records, including documents generated in subcommittees.
- Ensuring taking of minutes at Panel meetings.

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INFORMAL WORKING GROUPS

To facilitate the work of the Panel, some business may be conducted by informal working groups that will make suggestions to the full Panel, as appropriate.

Informal working groups can:

- Gather information.
- Develop work plans.
- Perform studies.
- Draft reports.
- Discuss preliminary findings.

Informal working groups cannot:

- Function as the *de facto* parent advisory committee.
- Make recommendations to the Panel that are “rubber stamped” without further action or consideration by the full Panel.
- Make decisions that are binding on the Panel.
- Speak on behalf of the full Panel without prior approval.
- Make direct recommendations to the FCC.

Meetings conducted by informal working groups are not subject to the public participation and public notice requirements of the FACA so long as the above requirements are met.

QUESTIONS

Questions about FACA should be directed to the DFO, Lisa Fowlkes or the Alternate DFO, Jean Ann Collins at the telephone numbers and e-mail addresses listed above.