

NATIONAL SECURITY TELECOMMUNICATIONS ADVISORY COMMITTEE BYLAWS
ORIGINALLY ADOPTED: JULY 20, 1983
AMENDED: JUNE 8, 1989
AMENDED: JANUARY 12, 1995
AMENDED: APRIL 18, 2000
AMENDED: April 7, 2003
RESCINDED AND REISSUED: May 26, 2010

Article I: Organization and Operation

Section 1: The National Security and Telecommunications Advisory Committee (NSTAC) shall be organized and operate in accordance with the Federal Advisory Committee Act, as amended (5 U.S.C. App. 2), Executive Order 12382, 13 September 1982, the Charter of the NSTAC, and these Bylaws.

Section 2: The provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. App. 2), Executive Order No. 12382, 13 September 1982, and the Charter of the NSTAC shall govern in the event of any conflict between the provisions thereof and these Bylaws.

Section 3: The NSTAC shall be supported by an Industry Executive Subcommittee (IES). The IES is authorized to form subordinate Groups, titled Working Groups, Task Forces, or other appropriate title, necessary to carry out the direction provided by the NSTAC and to develop recommendations for the NSTAC in accord with the NSTAC Charter and the IES's mission. The purpose of the IES is to advise the NSTAC on matters concerning procedures, plans, and policies for the telecommunications and information systems that support national security and emergency preparedness. The IES shall meet approximately one month before and one month after an NSTAC meeting. At additional Working Sessions of the Subcommittee of the whole, the IES shall carry out its role as the NSTAC'S principal working body. The IES performs the following functions: identifies, plans, and defines NSTAC issues; strengthens industry and Government coordination; examines legislative and regulatory issues; oversees network security activities; provides feedback on the status of NSTAC recommendations; and directs and oversees the work of subordinate Groups. The IES shall report to the NSTAC and the subordinate Groups shall report to the IES.

Article II: Membership

Section 1: The members of the NSTAC shall be appointed by the President in accordance with the provisions of Section 1(a) of Executive Order No. 12382, dated 13 September 1982.

Section 2: Each member of the NSTAC shall have the authority to appoint one member of the IES. The same individual may represent an industry entity on the IES and on one or more subordinate Groups. Except as provided in Article II, Section 5, the membership of the subordinate Groups shall consist of IES members elected by the IES for a term of two NSTAC cycles.

Section 3: Only NSTAC entities may be represented on the IES or subordinate Groups.

Section 4: Members of the NSTAC may not designate alternates. Members of the IES or any subordinate Group may designate an alternate. Such designation must be in writing with a copy provided to the Office of the Manager, National Communications System (OMNCS). An alternate shall have the privileges of a member.

Section 5: Consistent with any applicable security clearance requirements, any member of the IES or his or her duly designated alternate may be accompanied at any meeting by advisors. Any member or alternate may authorize an adviser to speak on behalf of the member or alternate.

Article III: Chair and Voting

Section 1: The Chair and Vice Chair of the NSTAC shall be appointed by the President in accordance with the provisions of Section 1(b) of the Executive Order No. 12382, dated 13 September 1982.

Section 2: The Chair of the IES shall be the Deputy Manager of the National Communications System and not number in the count for a quorum nor vote on issues before the IES. At an IES Working Session, the IES member from the NSTAC Chair's company shall chair the Working Session. The Chairs of subordinate Groups formed by the IES will be appointed by the IES Working Session Chair.

SECTION 3: A quorum of the Committee, the IES or subordinate Group is required to vote on issues being addressed. Except as set forth in Section 5, a quorum is

constituted by the presence of more than half of the membership of the Committee, IES or subordinate Group. In the case of review, deliberation, or a vote on a classified matter, a quorum is constituted by the presence of more than half of those members of the Committee who meet the prerequisite security clearance and need-to-know requirements for that particular matter.

Section 4: Only members of the NSTAC, the IES, or subordinate Group may vote. All issues will be decided, and recommendations or decisions made, by a majority vote of those members present at any NSTAC, IES, or subordinate Group meeting.

Section 5: Absent a request for a recorded and/or secret ballot vote, all votes shall be by either a show of hands or by voice vote. Any member may request a recorded and/or secret ballot vote at any time. With or without a quorum at a meeting, the Chair of the IES or subordinate Group may conduct a recorded vote by mail at any time absent objections of any member. In the case of a mail vote, a quorum is constituted by receipt of votes from more than half of the membership. A non-response from an IES or subordinate Group member will be considered a vote in the affirmative.

Article IV: Minutes and Reports

Section 1: Committee records will be maintained as set forth in the Federal Advisory Committee Act, 5 U.S.C. App.2.

Section 2: A written summary will be prepared for each IES meeting and meeting of the IES Working Session. Summaries of the meetings will be prepared by the OMNCS and forwarded to members of the meeting body and other participating entities to review for accuracy and completeness.

Section 3: A consolidated annual report of results of all NSTAC activities shall be prepared and distributed to all members, and to any Federal Government entity upon request. Other reports shall be prepared as directed by the NSTAC.

Section 4: All reports except minority reports shall be prepared by the OMNCS and forwarded to the members for review and comment at least 15 days prior to final distribution.

Section 5:Minority reports may be prepared by any industry member(s) and forwarded to the OMNCS. The OMNCS will attach the minority report to the majority report.

Article V:Issue Development

Section 1:Issues for consideration by the NSTAC may be suggested by any Government or industry entity, or any other person. The OMNCS will prepare suggested issues into issue papers for consideration by the IES.

Section 2:The IES will review all issue papers and recommend to the NSTAC their approval or disapproval for further consideration, or recommend such other action as is deemed necessary. For issues sent to a subordinate Group for study, analysis and/or the development of recommendations or options, the IES will provide guidance and direction as necessary.

Section 3:Studies, analyses, recommendations, or options developed by any subordinate Group shall be submitted to the IES, by report or briefing, for consideration prior to presentation or submission to the NSTAC.

Article VI: Amendment of the Bylaws

Section 1:Amendment of the Bylaws may be proposed by any member of the NSTAC or the Designated Federal Officer (DFO) at any time. Such amendments may be adopted or dismissed only by direction of the DFO.

Section 2:An amendment to the Bylaws shall become effective immediately following its adoption.