

(ii) 4 members shall serve for a term of 2 years; and

(iii) 4 members shall serve for a term of 1 year.

**(3) Vacancies**

A vacancy in the membership of the Board shall not affect the Board's powers, and shall be filled in the same manner as the original member was appointed.

**(d) Chair**

**(1) Selection**

The Secretary of Commerce shall select, from among the members of the Board appointed under subsection (b)(1)(D), an individual to serve for a 2-year term as Chair of the Board.

**(2) Consecutive terms**

An individual may not serve for more than 2 consecutive terms as Chair of the Board.

**(e) Meetings**

**(1) Frequency**

The Board shall meet—

(A) at the call of the Chair; and

(B) not less frequently than once each quarter.

**(2) Transparency**

Meetings of the Board, including any committee of the Board, shall be open to the public. The Board may, by majority vote, close any such meeting only for the time necessary to preserve the confidentiality of commercial or financial information that is privileged or confidential, to discuss personnel matters, or to discuss legal matters affecting the First Responder Network Authority, including pending or potential litigation.

**(f) Quorum**

Eight members of the Board shall constitute a quorum, including at least 6 of the members appointed under subsection (b)(1)(D).

**(g) Compensation**

**(1) In general**

The members of the Board appointed under subsection (b)(1)(D) shall be compensated at the daily rate of basic pay for level IV of the Executive Schedule for each day during which such members are engaged in performing a function of the Board.

**(2) Prohibition on compensation**

A member of the Board appointed under subparagraphs (A) through (C) of subsection (b)(1) shall serve without additional pay, and shall not otherwise benefit, directly or indirectly, as a result of their service to the First Responder Network Authority, but shall be allowed a per diem allowance for travel expenses, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, while away from the home or regular place of business of the member in the performance of the duties of the First Responder Network Authority.

(Pub. L. 112–96, title VI, § 6204, Feb. 22, 2012, 126 Stat. 208.)

REFERENCES IN TEXT

Level IV of the Executive Schedule, referred to in subsec. (g)(1), is set out under section 5315 of Title 5, Government Organization and Employees.

**§ 1425. Advisory committees of the First Responder Network Authority**

**(a) Advisory committees**

The First Responder Network Authority—

(1) shall establish a standing public safety advisory committee to assist the First Responder Network Authority in carrying out its duties and responsibilities under this subchapter; and

(2) may establish additional standing or ad hoc committees, panels, or councils as the First Responder Network Authority determines are necessary.

**(b) Selection of agents, consultants, and experts**

**(1) In general**

The First Responder Network Authority shall select parties to serve as its agents, consultants, or experts in a fair, transparent, and objective manner, and such agents may include a program manager to carry out certain of the duties and responsibilities of deploying and operating the nationwide public safety broadband network described in subsections (b) and (c) of section 1426 of this title.

**(2) Binding and final**

If the selection of an agent, consultant, or expert satisfies the requirements under paragraph (1), the selection of that agent, consultant, or expert shall be final and binding.

(Pub. L. 112–96, title VI, § 6205, Feb. 22, 2012, 126 Stat. 211.)

**§ 1426. Powers, duties, and responsibilities of the First Responder Network Authority**

**(a) General powers**

The First Responder Network Authority shall have the authority to do the following:

(1) To exercise, through the actions of its Board, all powers specifically granted by the provisions of this subchapter, and such incidental powers as shall be necessary.

(2) To hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the First Responder Network Authority considers necessary to carry out its responsibilities and duties.

(3) To obtain grants and funds from and make contracts with individuals, private companies, organizations, institutions, and Federal, State, regional, and local agencies.

(4) To accept, hold, administer, and utilize gifts, donations, and bequests of property, both real and personal, for the purposes of aiding or facilitating the work of the First Responder Network Authority.

(5) To spend funds under paragraph (3) in a manner authorized by the Board, but only for purposes that will advance or enhance public safety communications consistent with this chapter.

(6) To take such other actions as the First Responder Network Authority (through the Board) may from time to time determine nec-