U.S. DEPARTMENT OF COMMERCE
CHARTER OF THE
TRANSPORTATION AND RELATED EQUIPMENT
TECHNICAL ADVISORY COMMITTEE

1. Committee's Official Designation (Title). Transportation and Related Equipment Technical Advisory Committee (TRANSTAC)

2. Authority. In accordance with Section 5(h)(1) of the Export Administration Act of 1979, as amended (50 U.S.C. app. §§ 2401-2420 (the "Act")), the Assistant Secretary for Export Administration, Bureau of Industry and Security, made the following determinations necessary for the continuation of the work of the TRANSTAC.

Consistent with Section 5(h)(4) of the Act, the Secretary of Commerce has consulted with the committee with regard to its continuation and the committee has recommended that the charter be renewed. The TRANSTAC was initially chartered in 1985 under the authority of the Act. The TRANSTAC has continued to advise the Department under renewed charters since that time. The charter is hereby renewed consistent with the Act, as amended.[1]

3. Objectives and Scope of Activities. The objectives of the TRANSTAC are to advise and assist the Secretary of Commerce and other federal agencies and officials referred to in Section 5(h)(2) of the Act with respect to actions designed to carry out the policy set forth in Section 3(2)(A) of the Act. The TRANSTAC will be consulted where a recognized need of the Department of Commerce exists with respect to questions involving the development and revision of the Export Administration Regulations (EAR). The TRANSTAC's activities include evaluation and commentary on data and other evidence available from the Department, other reliable sources, and its own experience. The TRANSTAC will provide advice to the Department with respect to these matters. The Chairperson will submit an annual report and annual plan to the Department. The report will include a summary of the efforts of the TRANSTAC during the year and any recommendations agreed to by the TRANSTAC. The TRANSTAC serves on a continuing basis within the limitations of the law.

4. Description of Duties. The TRANSTAC functions solely as an advisory body in compliance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App., as amended.

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[1] Since August 21, 2001, the Export Administration Act (the "Act") has been in lapse, and the President, through Executive Order 13222, of August 17, 2001 (3 C.F.R., 2001 Comp. 783 (2002)), has extended the Act by successive Presidential Notices, the most recent being that of August 4, 2016 (81 Fed. Reg. 52,587 (Aug. 8, 2016)), has continued the Export Administration Regulations (EAR) in effect under the International Emergency Economic Powers Act (50 U.S.C. §§ 1701 et seq.). BIS continues to carry out the provisions of the Act, as appropriate and to the extent permitted by law, pursuant to Executive Order 13222.

5. Agency or Official to Whom the Committee Reports. The TRANSTAC reports to the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce.

6. Support. The Office of Technology Evaluation, Bureau of Industry and Security, provides administrative support services for the TRANSTAC.

7. Estimated Annual Operating Costs and Staff Years. The estimated annual operating cost of the TRANSTAC is $40,209, which includes an estimated 0.3 person-year of staff support. Industry members will not be compensated for their services, nor will they be reimbursed for travel, subsistence, and other expenses incurred by them in connection with their duties as members of the TRANSTAC.

8. Designated Federal Officer (DFO). The Assistant Secretary for Export Administration will designate a full-time or permanent part-time employee of the Bureau of Industry and Security to serve as the DFO for the TRANSTAC in accordance with agency procedures. The DFO will approve or call all of the TRANSTAC meetings, prepare and approve all meeting agendas, attend all meetings, adjourn any meetings when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the Assistant Secretary for Export Administration.

9. Estimated Number and Frequency of Meetings. The TRANSTAC meets at least every three months at the call of the Chairperson, unless the Chairperson determines, in consultation with other members of the TRANSTAC, that such a meeting is not necessary to achieve the purposes of the Act. Meetings and work of the TRANSTAC shall be consistent with the provisions of Section 5 of the Act as well as the provisions of the Federal Advisory Committee Act.

10. Duration. Continuing.

11. Termination. This charter will terminate two years from the date of its filing with the appropriate U.S. Senate and House of Representatives oversight committees unless earlier terminated or renewed by proper authority. As required by Section 5(h)(4) of the Act, the Secretary shall consult the TRANSTAC with regard to termination or extension of the TRANSTAC.

12. Membership and Designation. The TRANSTAC consists of not more than 35 members from industry and government who are appointed by the Secretary of Commerce. All members serve at the pleasure of the Secretary. Industry members are engineers, scientists, or other qualified persons from a representative cross-section of the transportation and related equipment industry product areas or export control technicians. Consistent with Section 5(h)(1) of the Act, the industry members shall not serve on the TRANSTAC for more than four consecutive years. Members who do not attend four consecutive TRANSTAC meetings will have their membership terminated.

The Chairperson will be elected by the committee as required by Section 5(h)(4) of the

Act. It is desired that the Chairperson serve only a two-year term; however, with a majority vote the Chairperson may be re-elected, subject to continuation of the TRANSTAC.

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

Non-federal members serve in a representative capacity and not as special government employees. Federal members serve as regular government employees.

All members must be able to qualify for a Secret security clearance.

13. Subcommittees. The Assistant Secretary for Export Administration may establish such subcommittees from among its members as may be necessary, subject to the provisions of FACA, the FACA implementing regulations, and applicable Department of Commerce policies. Any subcommittees established must report back to the parent committee and must not provide advice and work products directly to the agency. Subcommittee members must be approved by the Assistant Secretary for Export Administration.

14. Recordkeeping. The records of the TRANSTAC, formally or informally, shall be handled in accordance with General Records Schedule 6.2 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.

Ellen Herbst

Chief Financial Officer and
Assistant Secretary for Administration

8/18/16

Filing Date