CHARTER OF THE
CIVIL NUCLEAR TRADE ADVISORY COMMITTEE

1. **Committee's Official Designation.** Civil Nuclear Trade Advisory Committee

2. **Authority.** The Secretary of Commerce (the Secretary), having determined that it is in the public interest in connection with the performance of duties imposed by law upon the Department of Commerce (the Department), established the Civil Nuclear Trade Advisory Committee under the authority granted in 15 U.S.C. 1512, and in accordance with the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App., and with the concurrence of the General Services Administration.

3. **Objectives and Scope of Activities.** The committee shall advise the Secretary on the development and administration of programs to expand U.S. exports of civil nuclear goods and services in accordance with applicable U.S. laws and regulations, for use by the Department in its role as a member of the Civil Nuclear Trade Working Group of the Trade Promotion Coordinating Committee and the Department's active participation in the Atoms for Prosperity interagency group to promote U.S. civil nuclear trade.

4. **Description of Duties.** The committee functions solely as an advisory committee in accordance with the provisions of FACA, as amended, 5 U.S.C. App. In particular, the committee shall advise on:

a. matters concerning trade policy development and negotiations relating to U.S. civil nuclear exports;

b. the effect of U.S. Government policies, regulations, programs, and foreign government policies and practices on the export of U.S. civil nuclear goods and services;

c. the competitiveness of U.S. industry and its ability to compete for civil nuclear products and services opportunities in international markets, including specific problems in exporting, and provide specific recommendations regarding U.S. Government and public/private actions to assist civil nuclear companies in expanding their exports;

d. the identification of priority civil nuclear products and services markets with the potential for high immediate returns for U.S. exports, as well as emerging markets with a longer-term potential for U.S. exports;

e. strategies to increase private sector awareness and effective use of U.S. Government export promotion programs, and recommendations on how U.S. Government programs may be more efficiently designed and coordinated;

f. the development of complementary industry and trade association export promotion programs, including ways for greater and more effective coordination of U.S. Government efforts with private sector organizations' civil nuclear industry export promotion efforts; and

g. the development of U.S. Government programs to encourage producers of civil nuclear products and services to enter new foreign markets, in connection with which the committee may advise on how to gather, disseminate, and promote awareness of information on civil nuclear exports and related trade issues.

5. Agency or Official to Whom the Committee Reports. The committee shall report to the Secretary on its activities and recommendations.

6. Support. The International Trade Administration, Industry & Analysis, Office of Energy and Environmental Industries, shall provide staff support for the committee.

7. Estimated Annual Operating Costs and Staff Years. The estimated annual operating cost of the committee is approximately $68,000, which includes one person/year of staff support. Members of the committee will not be compensated for their services or reimbursed for their travel expenses.

8. Designated Federal Officer. The Assistant Secretary for Industry & Analysis shall designate a Designated Federal Officer (DFO) from among the employees of the Office of Energy and Environmental Industries. The DFO will approve or call all of the advisory committee and subcommittee meetings, prepare and approve all meeting agendas, attend all committee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the Secretary.

9. Estimated Number and Frequency of Meetings. The committee shall, to the extent practicable, meet approximately three times a year. Additional meetings may be called at the discretion of the Secretary or his/her designee.

10. Members and Designations. The committee shall consist of approximately 40 members appointed by the Secretary, in accordance with applicable Department of Commerce guidance and based on their ability to carry out the objectives of the committee. Members shall represent U.S. entities involved in the export of civil nuclear products and services and reflect the diversity of this sector, including in terms of entities' size and geographic location. The committee shall also represent the diversity of company or organizational roles in the development of civil nuclear energy projects, including, for example, U.S. civil nuclear manufacturing and services companies, U.S. utilities, U.S. trade associations, and other U.S. organizations in the U.S. civil nuclear sector. The Secretary shall appoint to the committee at least one individual representing each of the following:

a. civil nuclear manufacturing and services companies;
b. small businesses;
c. utilities;
d. trade associations in the civil nuclear sector;
e. research institutions and universities; and
f. private sector organizations involved in strengthening the export competitiveness of U.S. civil nuclear products and services.

Members shall serve in a representative capacity, expressing the views and interests of a U.S. entity or organization, as well as its particular subsector; they are, therefore, not Special Government Employees. Each member of the committee must be a U.S. citizen and must not be registered as a foreign agent under the Foreign Agents Registration Act. No member may represent a company that is majority owned or controlled by a foreign government entity (or foreign government entities).

Members shall serve at the pleasure of the Secretary from the date of appointment to the committee to the date on which the committee's charter terminates. The Secretary shall designate the committee Chair and Vice Chair. The Chair and Vice Chair shall serve in those positions at the pleasure of the Secretary. Members must attend a minimum of fifty percent of committee meetings and a majority of subcommittee and working group activities to remain members. Failure to meet this minimum participation requirement could result in membership termination.

11. Subcommittees. The Department, through the DFO, may establish subcommittees or working groups from among the committee's members as may be necessary, and consistent with FACA, the FACA implementing regulations, and applicable Department of Commerce policies. Such subcommittees or working groups may not function independently of the chartered committee and must report their recommendations and advice to the committee for full deliberation and discussion. Subcommittees or working groups have no authority to make decisions on behalf of the committee nor can they report directly to the Secretary or her designee.

12. Recordkeeping. 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 schedules. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552. The Office of Energy and Environmental Industries shall maintain all files mandated by FACA and the Department's policies on advisory committee management.

13. Duration/Termination. This charter will terminate two years from the date of its filing with the appropriate United States Senate and U.S. House of Representatives Oversight Committees, unless it is earlier terminated or renewed by proper authority.

Ellen Herbst
Chief Financial Officer and
Assistant Secretary for Administration

8/13/14
Filing Date