

2019 Current Fiscal Year Report: Industry Trade Advisory Committee on Customs Matters and Trade Facilitation

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1. Department or Agency

Department of Commerce

2. Fiscal Year

2019

3. Committee or Subcommittee

Industry Trade Advisory Committee on Customs Matters and Trade Facilitation

3b. GSA Committee No.

21418

4. Is this New During Fiscal Year?

No

5. Current Charter

02/14/2018

6. Expected Renewal Date

02/14/2022

7. Expected Term Date

8a. Was Terminated During Fiscal Year?

No

8b. Specific Termination Authority

8c. Actual Term Date

9. Agency Recommendation for Next Fiscal Year

Continue

10a. Legislation Req to Terminate?

No

10b. Legislation Pending?

Not Applicable

11. Establishment Authority

Statutory (Congress Created)

12. Specific Establishment Authority

P.L. 93-618

13. Effective Date

03/27/1975

14. Committee Type

Continuing

14c. Presidential?

No

15. Description of Committee

Other Committee

16a. Total Number of Reports

7

16b. Report Date

Report Title

10/24/2018	Addendum to Statutory Advisory Report on The United States-Mexico-Canada Agreement
12/03/2018	Letter of Recommendation on Negotiating Objectives and Priorities for the U.S.-European Union Trade Agreement
12/03/2018	Letter of Recommendation on the Negotiating Objectives and Priorities for the U.S.-Japan Trade Agreement
12/03/2018	Letter of Recommendation on the Negotiating Objectives and Priorities for the U.S.-United Kingdom Trade Agreement
12/17/2018	Amended Letter of Recommendation on the Negotiating Objectives and Priorities for the U.S.- United Kingdom Trade Agreement Negotiations
12/17/2018	Amended Letter of Recommendation on the Negotiating Objectives and Priorities for the U.S.-European Union Trade Agreement Negotiations

12/17/2018 Amended Letter of Recommendation on the Negotiating Objectives and
Priorities for the U.S.-Japan Trade Agreement

Number of Committee Reports Listed: 7

17a. Open 0 17b. Closed 5 17c. Partially Closed 0 Other Activities 0 17d. Total 5

Meetings and Dates

Purpose	Start	End
The Committee members met to deliberate on and finalize a pre-decisional draft addendum to the statutory advisory report on the United States-Mexico Trade Agreement now that Canada has been included in the Agreement now called the United-State-Mexico-Canada Agreement (USMCA). The addendum to the statutory report was adopted out of Committee and sent forward to the United States Trade Representative with a copy to the Secretary of Commerce.	10/24/2018	10/24/2018
The Committee members met to deliberate on and finalize (3) pre-decisional draft letter of recommendation on the negotiating objectives and priorities for the U.S.-Japan Trade Agreement, the U.S.-European Union Trade Agreement; and, the U.S.-United Kingdom Trade Agreement. The letters were adopted out of Committee and sent forward to the Secretary of Commerce and the United States Trade Representative.	11/29/2018	11/29/2018
The Committee members met to be briefed and provide advice on the following issues, including: update on U.S.-United Kingdom Trade and Investment Working Group; update on the U.S.-European Union Trade Agreement; update on U.S. Proposal to Enhance Transparency and Strengthen Notification Requirements under WTO Agreements; update on WTO Customs Valuation Committee; update on WTO Trade Facilitation Committee; and update on U.S. - Japan Trade Agreement. Then the Committee members met to deliberate on and finalize a (3) pre-decisional draft addenda to their letters of recommendation on the negotiating objectives and priorities for the U.S.-Japan Trade Agreement, the U.S.-European Union Trade Agreement, and the U.S.-United Kingdom. The letters were finalized and adopted out of Committee and sent forward to the Secretary of Commerce and the U.S. Trade Representative.	12/12/2018	12/12/2018
The Committee members met to be briefed and provide advice on the following issues, including: update on U.S. - Kenya Trade and Investment Working Group and update on U.S. - Rwanda Trade and Investment Agreement; update on U.S.-Japan Trade Agreement Negotiations; update on WTO Digital Trade Initiative; update on U.S -Mexico-Canada Agreement (USMCA); update on WTO Customs Valuation Agreement; and update on WTO Trade Facilitation Agreement.	06/06/2019	06/06/2019
The Committee members met to be briefed and provide advice on the following issues, including: update on World Customs Organization; update on U.S. - Mexico - Canada Agreement and Free Trade Agreement Negotiations with Japan, the European Union, and the United Kingdom; update on Multilateral Customs Valuation Work; update on Bilateral WTO Trade Facilitation Agreement Efforts with Brazil; and update on WTO Trade Facilitation Committee.	09/26/2019	09/26/2019

Number of Committee Meetings Listed: 5

	Current FY	Next FY
18a(1). Personnel Pmts to Non-Federal Members	\$0.00	\$0.00
18a(2). Personnel Pmts to Federal Members	\$0.00	\$0.00
18a(3). Personnel Pmts to Federal Staff	\$47,210.00	\$47,500.00
18a(4). Personnel Pmts to Non-Member Consultants	\$0.00	\$0.00
18b(1). Travel and Per Diem to Non-Federal Members	\$0.00	\$0.00
18b(2). Travel and Per Diem to Federal Members	\$0.00	\$0.00
18b(3). Travel and Per Diem to Federal Staff	\$0.00	\$0.00
18b(4). Travel and Per Diem to Non-member Consultants	\$0.00	\$0.00
18c. Other(rents,user charges, graphics, printing, mail, etc.)	\$0.00	\$0.00
18d. Total	\$47,210.00	\$47,500.00
19. Federal Staff Support Years (FTE)	0.30	0.30

20a. How does the Committee accomplish its purpose?

The Committee is performing such functions and duties and prepare such reports, as may be required by Section 135 of the Trade Act, with respect to the industry trade advisory committees. The Committee advises the Secretary and USTR on trade matters referred to in section 135(a)(1) of the Act, and is consulted regarding the matters referred to in section 135(a)(2) of the Act. The Committee provides detailed policy and technical advice, information, and recommendations to the Secretary and USTR regarding trade barriers, negotiation of trade agreements under section 2103 of the Bipartisan Trade Promotion Authority Act of 2002, and implementation of existing trade agreements affecting its sector.

20b. How does the Committee balance its membership?

Members shall be selected on a clear, standardized basis, in accordance with applicable Department of Commerce guidance, the principal criterion for selection being ability to carry out the objectives of this Committee as set forth in Section 3 of the Charter. Secondary selection criteria are ensuring that the Committee is balanced in terms of points of view, demographics, geography, and company size.

20c. How frequent and relevant are the Committee Meetings?

Estimated Number of Meetings per Year - 4.

20d. Why can't the advice or information this committee provides be obtained elsewhere?

This Committee is essential to carry out the Secretary and USTR's responsibilities under section 135(c)(2) of the 1974 Trade Act, as delegated by E.O. 11846 of March 27, 1975. There is no other Committee that can perform the duties of this Committee.

20e. Why is it necessary to close and/or partially closed committee meetings?

The Industry Trade Advisory Committees were established by the Trade Act of 1974 and in accordance with the Federal Advisory Committee Act (FACA). Subsection 135(f) of the Trade Act provides that the ITACs shall be exempt from the provisions of the FACA relating to open meetings, public notice, public participation, and public availability of documents when it is determined that the proceedings would, if disclosed, seriously compromise the Government's negotiating objectives or bargaining positions regarding trade policy matters. ITAC meetings routinely involve these kinds of discussions. The United States Trade Representative evaluates each meeting agenda and issues a Notice of Determination when it is necessary to close meetings.

21. Remarks

Subcommittees, or their equivalents, are authorized to be formed under the terms of the Committees' charters, which were issued pursuant to Subsection 135 (f) of the Trade Act of 1974 (Public Law 93-618) as amended, and the Federal Advisory Committee Act (Public Law 92-463). Because subcommittees, or their equivalents, do not report out independently but through the parent Committee, the costs are included under the parent Committee.

Designated Federal Officer

Ashlyn Holeyfield Senior International Trade Specialist

Committee Members	Start	End	Occupation	Member Designation
Balido, Nelson	02/28/2018	02/14/2022	Border Commerce and Security Council	Representative Member
Bermudez, Michael	02/28/2018	02/14/2022	Parsons Corporation	Representative Member
Eilers, Nathan	03/11/2019	02/14/2022	Rockwell Automation, Inc.	Representative Member
Free, Galina	05/08/2019	02/14/2022	Danaher Corporation	Representative Member
Hawley, Lorraine	02/28/2018	02/14/2022	Archer Daniels Midland Company	Representative Member
Justice, Cary	02/28/2018	03/11/2019	Alticor Inc	Representative Member
Leo, Robert	02/28/2018	02/14/2022	Legal Advisor, representing Johnson & Johnson Company	Representative Member
McGovern, John	02/28/2018	02/14/2022	MKS Instruments, Inc	Representative Member
Muhlstein, Carolyn	02/28/2018	02/14/2022	Cisco Systems, Inc.	Representative Member
Mullen, Michael	02/28/2018	02/14/2022	Express Association of America	Representative Member
Perkins, Robert	02/28/2018	12/17/2018	Consultant, representing Livingston International	Representative Member
Petersen, Catherine	10/31/2018	02/14/2022	Consultant, Representing InterMark, LLC	Representative Member
Ramos Chesnes, Sharlene	02/28/2018	02/14/2022	InterChez Logistics Systems, Inc.	Representative Member
Schroeder, Gregory	03/11/2019	02/14/2022	Amway	Representative Member
Treglia, AnnMarie	02/28/2018	02/14/2022	Dart Container Corporation	Representative Member

Number of Committee Members Listed: 15

Narrative Description

The Committee shall perform such functions and duties and prepare such reports as may be required by section 135 of the Trade Act with respect to the industry trade advisory committees. The Committee advises the Secretary and the USTR concerning the trade matters referred to in section 135(a)(1) of the Trade Act, and is consulted regarding the

matters referred to in section 135(a)(2) of the Trade Act. The Committee functions solely as an advisory committee in accordance with the provisions of the FACA, as amended, 5 U.S.C. App., with the exceptions set forth in the Trade Act. In particular, the Committee provides detailed policy and technical advice, information, and recommendations to the Secretary and the USTR regarding trade barriers, negotiation of trade agreements, and implementation of existing trade agreements affecting its sectors; and performs such other advisory functions relevant to U.S. trade policy as may be requested by the Secretary and the USTR or their designees.

What are the most significant program outcomes associated with this committee?

Checked if Applies

- Improvements to health or safety
- Trust in government
- Major policy changes
- Advance in scientific research
- Effective grant making
- Improved service delivery
- Increased customer satisfaction
- Implementation of laws or regulatory requirements
- Other

Outcome Comments

NA

What are the cost savings associated with this committee?

Checked if Applies

- None
- Unable to Determine
- Under \$100,000
- \$100,000 - \$500,000
- \$500,001 - \$1,000,000
- \$1,000,001 - \$5,000,000
- \$5,000,001 - \$10,000,000
- Over \$10,000,000
- Cost Savings Other

Cost Savings Comments

NA

What is the approximate Number of recommendations produced by this committee for the life of the committee?

8

Number of Recommendations Comments

On average 2-3 recommendations are made annually. The recommendations are for the 2018-2022 charter term to date.

What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?

0%

% of Recommendations Fully Implemented Comments

No measureable calculation. Committee members that give advice to U.S. trade negotiators, typically do not receive feedback from negotiators regarding how their advice has been applied or utilized within the various bilateral and multilateral trade negotiations.

What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?

0%

% of Recommendations Partially Implemented Comments

No measureable calculation. Committee members that give advice to U.S. trade negotiators, typically do not receive feedback from negotiators regarding how their advice has been applied or utilized within the various bilateral and multilateral trade negotiations.

Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?

Yes No Not Applicable

Agency Feedback Comments

Most feedback is rendered orally during meetings; when written advice is sent to the Secretary of Commerce and the USTR, or their designees, it is reviewed by Secretary's policy staff and tasked to appropriate ITA unit to prepare draft response. Commerce internal procedures require that all responses for Secretarial signature (and/or joint signature with USTR) go through a formal concurrence process which ensures that the appropriate level Commerce officials are seeing the advice and have a chance for comment. The Under Secretary of Commerce for International Trade reviews and clears prior to the Secretary's review and signature, which ensures that ITAC advice is weighed

and considered.

What other actions has the agency taken as a result of the committee's advice or recommendation?

	Checked if Applies
Reorganized Priorities	<input checked="" type="checkbox"/>
Reallocated resources	<input type="checkbox"/>
Issued new regulation	<input type="checkbox"/>
Proposed legislation	<input type="checkbox"/>
Approved grants or other payments	<input type="checkbox"/>
Other	<input type="checkbox"/>

Action Comments

Outcome does not apply.

Is the Committee engaged in the review of applications for grants?

No

Grant Review Comments

NA

How is access provided to the information for the Committee's documentation?

	Checked if Applies
Contact DFO	<input checked="" type="checkbox"/>
Online Agency Web Site	<input type="checkbox"/>
Online Committee Web Site	<input type="checkbox"/>
Online GSA FACA Web Site	<input checked="" type="checkbox"/>
Publications	<input type="checkbox"/>
Other	<input checked="" type="checkbox"/>

Access Comments

USTR maintains an Advisors' secure website for advisors to access the documents.