

## 2004 Current Fiscal Year Report: Industry Sector Advisory Committee on Nonferrous Ores and Metal for Trade Policy Matters (ISAC 11)

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### 1. Department or Agency

Department of Commerce

### 2. Fiscal Year

2004

### 3b. GSA

Committee

No.

### 3. Committee or Subcommittee

Industry Sector Advisory Committee on Nonferrous Ores and Metal for Trade Policy Matters (ISAC 11)

346

### 4. Is this New During Fiscal Year?

No

### 5. Current Charter

03/17/2004

### 6. Expected Renewal Date

03/18/2004

### 7. Expected Term Date

06/16/2004

### 8a. Was Terminated During Fiscal Year?

Yes

### 8b. Specific Termination Authority

### 8c. Actual Term Date

06/16/2004

### 9. Agency Recommendation for Next Fiscal Year

Terminate

### 10a. Legislation Req to Terminate?

No

### 10b. Legislation Pending?

### 11. Establishment Authority

Statutory (Congress Created)

### 12. Specific Establishment Authority

19 U.S.C. 2155

### 13. Effective Date

01/03/1975

### 14. Committee Type

Continuing

### 14c. Presidential?

No

### 15. Description of Committee

National Policy Issue Advisory Board

### 16a. Total Number of Reports

4

### 16b. Report Date

02/10/2004

### Report Title

Report of U.S.-Australia Free Trade Agreement

03/19/2004

Report on U.S.-Central America Free Trade Agreement

04/06/2004

Report on U.S.-Morocco Free Trade Agreement

04/21/2004

Report on U.S.-Dominican Republic Free Trade Agreement

### Number of Committee Reports Listed: 4

17a. Open 0 17b. Closed 6 17c. Partially Closed 0 Other Activities 0 17d. Total 6

### Meetings and Dates

#### Purpose

To discuss and provide advice on international trade and trade-related environmental policy.

#### Start

10/02/2003 - 10/02/2003

#### End

To discuss and provide advice on international trade and trade-related environmental policy.

11/20/2003 - 11/20/2003

To discuss and provide advice on international trade and trade-related environmental policy.

02/12/2004 - 02/12/2004

To finalize and adopt ISAC 11 Report to the President, Congress, and USTR on the U.S.-Australia Free Trade Agreement

03/10/2004 - 03/10/2004

To finalize and adopt ISAC 11 Report to the President, Congress, and USTR on the U.S.-Central American Free Trade Agreement.

03/17/2004 - 03/17/2004

**Number of Committee Meetings Listed: 6**

	<b>Current FY</b>	<b>Next FY</b>
<b>18a(1). Personnel Pmts to Non-Federal Members</b>	\$0.00	\$0.00
<b>18a(2). Personnel Pmts to Federal Members</b>	\$0.00	\$0.00
<b>18a(3). Personnel Pmts to Federal Staff</b>	\$37,000.00	\$0.00
<b>18a(4). Personnel Pmts to Non-Member Consultants</b>	\$0.00	\$0.00
<b>18b(1). Travel and Per Diem to Non-Federal Members</b>	\$0.00	\$0.00
<b>18b(2). Travel and Per Diem to Federal Members</b>	\$0.00	\$0.00
<b>18b(3). Travel and Per Diem to Federal Staff</b>	\$0.00	\$0.00
<b>18b(4). Travel and Per Diem to Non-member Consultants</b>	\$0.00	\$0.00
<b>18c. Other(rents,user charges, graphics, printing, mail, etc.)</b>	\$0.00	\$0.00
<b>18d. Total</b>	\$37,000.00	\$0.00
<b>19. Federal Staff Support Years (FTE)</b>	0.30	0.00

**20a. How does the Committee accomplish its purpose?**

ISAC 11 produced four written recommendations as a group, concerning the U.S.-Australia, U.S.-Central America, U.S-Morocco, and U.S.-Dominican Republic Free Trade Agreements. The members also provided extensive advice directly to pertinent agencies and negotiators during ISAC 11 meetings, through the DFO, and on an individual basis. This input has had a significant effect on Agency operations. ISAC 11 members have a strong interest in issues relating to trade (particularly industrial market access) and to trade and the environment. ISAC 11 has been a leader in providing advice which has assisted the U.S. Government's policymaking on many such issues. ISAC 11, through its members, continues to be instrumental in ensuring that commercial considerations are not abandoned in the negotiation of multilateral environmental agreements. ISAC 11 has also been a leading advisor on other technical barriers to trade and on such issues as dual-use technology export controls.

**20b. How does the Committee balance its membership?**

The composition of ISAC 11 is fairly diverse across the major sectors which form the nonferrous metals industry, and includes storage battery manufacturers. To some extent, the presence of industry associations representing both producers and downstream fabricators has ensured that a relatively balanced point of view is provided. However, a number of U.S. nonferrous metals industries are currently not represented on the ISAC. The most prominent of these is the magnesium industry and the large U.S. scrap recycling industry. The U.S. lead industry is only represented indirectly. A large number of U.S. primary, secondary, and semi-fabricated nonferrous metals producers are not represented because of majority foreign ownership. ISAC 11 member views on such

issues as industrial market access (tariffs) are not always convergent.

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

The committee will meet about five times per year, depending on the Government's need for private sector advice and ISAC 11's desire to be briefed. This need is often directly related to the activity of U.S. Government negotiators in multilateral and bilateral trade and environment negotiations, such as within the WTO, Free Trade Agreement of the Americas, the Basel Convention, or APEC.

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

The committee structure ensures a unique source of information to the Government. All members have security clearances and through a continuing dialogue with Government officials are made aware of Government trade policies at a level not otherwise available to the private sector. Because these committees remain current in the broad spectrum of trade policy, the private sector input from the committees is more pertinent. The advisory committee program, legislatively mandated, is the single formal comprehensive consultative link between the U.S. Government and U.S. industry and has the responsibility to address all issues concerning trade policy. Most importantly, U.S. Government agencies, such as the Department of State and EPA, in addition to Commerce and USTR, have come to depend on the ISACs as reservoirs of private sector advice and comment, particularly useful as the groups are divided functionally by industry, and hold clearances allowing for more in-depth discussion.

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

The Industry Consultations Program was 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 ISACs 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. ISAC meetings routinely involve these kinds of discussions. The United States Trade Representative (USTR) evaluates each meeting agenda and issues a Notice of Determination when it is necessary to close meetings.

**21. Remarks**

## Designated Federal Officer

Kathryn B. McCormick DFO

Committee Members	Start	End	Occupation	Member Designation
Baker, Joseph	01/01/2004	06/16/2004	Manitoba Corporation	Special Government Employee (SGE) Member
Bullock, John	07/05/2002	06/16/2004	International Precious Metals Institute	Special Government Employee (SGE) Member
Cline, Jerome	03/17/2002	06/16/2004	Zinc Corporation of America	Special Government Employee (SGE) Member
Findlay, Linda	03/17/2002	06/16/2004	Phelps Dodge Corp.	Special Government Employee (SGE) Member
Goodman, Michael	10/01/2003	06/16/2004	Metallurgical Products Company	Special Government Employee (SGE) Member
Jeffrey, Ivan	03/17/2002	06/16/2004	Crescent Brass Manufacturing Corp	Special Government Employee (SGE) Member
Johnson, Peter	03/17/2002	06/16/2004	Metal Powder Industries Federation	Special Government Employee (SGE) Member
King, Robin	05/01/2002	06/16/2004	Aluminum Association	Special Government Employee (SGE) Member
Mallory, James	03/17/2002	06/16/2004	Non-Ferrous Founders Society	Special Government Employee (SGE) Member
Mayer, Joseph	03/17/2002	06/16/2004	Copper and Brass Fabricators Council	Special Government Employee (SGE) Member
Phelleps, Moya	03/17/2002	06/16/2004	National Mining Association	Special Government Employee (SGE) Member
Wisor, Russell	03/17/2002	06/16/2004	ALCOA	Special Government Employee (SGE) Member
Wolfe, J.	03/17/2002	06/16/2004	Battery Council International	Special Government Employee (SGE) Member

**Number of Committee Members Listed: 13**

### Narrative Description

The Committee shall perform such functions and duties and prepare reports, as required by Section 135 of the Trade Act of 1974, as amended, with respect to the sector and functional advisory committees. The Committee advises the Secretary and the USTR concerning the trade matters referred to in Sections 101, 102, and 124 of the Trade Act of 1974, as amended; with respect to the operation of any trade agreement once entered into; and with respect to other matters arising in connection with the development, implementation, and administration of the trade policy of the United States including those matters referred to in Reorganization Plan Number 3 of 1979 and Executive Order 12188, and the priorities for actions thereunder. In particular, the Committee provides detailed policy and technical advice, information, and recommendations to the Secretary and the USTR regarding trade barriers and implementation of trade agreements negotiated under Sections 101 or 102 of the Trade Act of 1974, as amended, and Sections 1102 and 1103 of the 1988 Trade Act, which affect the products of its sector; 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?**

4

**Number of Recommendations Comments**

NA

**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**

NA

**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**

NA

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

Yes  No  Not Applicable

**Agency Feedback Comments**

NA

**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 checked="" type="checkbox"/>
Issued new regulation	<input checked="" type="checkbox"/>
Proposed legislation	<input type="checkbox"/>
Approved grants or other payments	<input type="checkbox"/>
Other	<input checked="" type="checkbox"/>

**Action Comments**

Issued changes based on Committee recommendations on free trade agreements.

**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 checked="" type="checkbox"/> |
| Online Committee Web Site | <input checked="" type="checkbox"/> |
| Online GSA FACA Web Site  | <input checked="" type="checkbox"/> |
| Publications              | <input type="checkbox"/>            |
| Other                     | <input checked="" type="checkbox"/> |

**Access Comments**

NA