

2024 Current Fiscal Year Report: Industry Trade Advisory Committee on Customs Matters and Trade Facilitation

Report Run Date: 04/23/2024 09:08:02 PM

1. Department or Agency		2. Fiscal Year	
Department of Commerce		2024	
3. Committee or Subcommittee		3b. GSA Committee No.	
Industry Trade Advisory Committee on Customs Matters and Trade Facilitation		21418	
4. Is this New Fiscal Year?	5. Current Charter	6. Expected Renewal Date	7. Expected Term Date
No	02/24/2022	02/24/2026	
8a. Was Terminated During Fiscal Year?	8b. Specific Termination Authority		8c. Actual Term Date
No			
9. Agency Recommendation for Next Fiscal Year	10a. Legislation Req to Terminate?	10b. Legislation Pending?	
Continue	Not Applicable	Not Applicable	
11. Establishment Authority Statutory (Congress Created)			
12. Specific Establishment Authority	13. Effective Date	14. Committee Type	14c. Presidential?
P.L. 93-618	03/27/1975	Continuing	No
15. Description of Committee National Policy Issue Advisory Board			
16a. Total Number of Reports 2			
16b. Report Date	Report Title		
	Letter of Recommendation on		
01/31/2024	Canada's Proposed Valuation for Duty Regulation		

Letter of Recommendation on
03/11/2024 reference price databases by WTO
member countries

Number of Committee Reports Listed: 2

17a. 0 **17b. Closed** 4 **17c. Partially Closed** 0 **Other Activities** 0 **17d. Total** 4
Open

Meetings and Dates

Purpose	Start	End
The Committee members met to be briefed and provide advice to DOC/USTR on the following issues: update on IPEF Trade Pillar I: Customs & Trade Facilitation Annex, update on WTO Committee on Trade Facilitation Issues and WTO Committee on Customs Valuation Issues; update on USMCA Trilateral Sub-Committee on Emergency Response; and update on ITA's Trade Agreements Compliance.	10/18/2023	10/18/2023
The Committee members met to be briefed and provide advice to DOC/USTR on the following issues: update on IPEF Trade Pillar I: Customs & Trade Facilitation Annex; an update on USMCA Committee on Trade Facilitation; and, update on Trade Agreements Compliance Program	12/20/2023	12/20/2023
The Committee members met to be briefed and provide advice to DOC/USTR on the following issues: update on Supply Chain Resilience; update on the WTO 13th Ministerial Conference (MC13); update on USMCA Committee on Trade Facilitation; update on U.S Trade Negotiations (Uruguay); and, update on Trade Agreements Compliance Program. The Committee then deliberated and finalized a pre-decisional draft letter of recommendation on Canada Border Services Agency's Proposed Changes to Canadian Customs Valuation Rules. The letter was adopted out of Committee and sent forward to the Secretary of Commerce and the United States Trade Representative.	01/17/2024	01/17/2024
The Committee members met to deliberate on and finalize a pre-decisional draft letter of recommendation on Reference Pricing. The letter was adopted out of Committee and sent forward to the Secretary of Commerce and the United States Trade Representative.	02/29/2024	02/29/2024

Number of Committee Meetings Listed: 4

Current **Next**
FY **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	\$0.00	\$0.00
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	\$0.00	\$0.00
19. Federal Staff Support Years (FTE)	0.00	0.00

20a. How does the Committee accomplish its purpose?

The Committee performs such functions and duties and prepares 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 of Commerce (Secretary) and the United States Trade Representative (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?

The Secretary and the USTR make every effort to maintain balanced industry representation on the Committee. In order to achieve balanced representation, consideration is given to balance among sectors, product lines, small, medium, and large firms, and geographic areas. In addition, the Secretary and the USTR are committed to achieving diversity in the membership of the Committee to the maximum extent practicable consistent with the need for balanced industry representation and expertise. The Secretary and the USTR may seek additional nominations as necessary to ensure balanced representation, to meet a need for special representation, or to achieve diversity and demographic balance. Members are selected on a clear, standardized basis, in accordance with applicable Department of Commerce guidance, the principal criterion for selection being the ability to carry out the objectives of this Committee as set forth in Section 3 of the ITAC's 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 4-6, depending on the work of the Committee

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

This Committee is essential to carry out the Secretary's 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 Department of Commerce and the Office of the USTR 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 FACA (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. ITAC members are appointed at the start of a new charter term and on a rolling basis throughout the four-year charter term. Resignations occur when a members change representation, leaves

employment, due to ill-health, or no longer wants to serve as an advisor and departs prior to membership expiration date. All members who resign in the FY are kept on the ACR with effective resignation date.

Designated Federal Officer

Thomas Conley Senior International Trade Specialist

Committee Members	Start	End	Occupation	Member Designation
Balido, Nelson	04/19/2022	02/29/2024	Border Commerce and Security Council	Representative Member
Bermudez, Michael	04/19/2022	02/24/2026	Parsons Corporation	Representative Member
Boyce, Maria	01/23/2023	02/24/2026	United Parcel Service Company	Representative Member
Chamberlain, Scott	04/19/2022	02/24/2026	Gentex Corporation	Representative Member
DeCuzzi, Louis	07/06/2023	02/24/2026	DRR USA	Representative Member
Eilers, Nathan	04/19/2022	02/24/2026	Rockwell Automation, Inc.	Representative Member
Franze, Jill	04/19/2022	02/24/2026	Cisco Systems, Inc.	Representative Member
Free, Galina	04/19/2022	02/24/2026	Danaher Corporation	Representative Member
Giblin, Megan	04/18/2023	02/24/2026	U.S. Council for International Business	Representative Member
Giovenco, Ari	04/19/2022	02/24/2026	Amazon.com, Inc.	Representative Member
Hughes, Beth Anne	04/19/2022	02/24/2026	American Apparel & Footwear Association.	Representative Member
Layton, Alexander	04/19/2022	02/24/2026	FedEx Express	Representative Member
Leo, Robert	04/19/2022	02/24/2026	Legal Advisor, representing Johnson & Johnson Company	Representative Member
McGovern, John	04/19/2022	02/24/2026	MKS Instruments, Inc	Representative Member
Mullen, Michael	04/19/2022	02/24/2026	Express Association of America	Representative Member
Pickel, John	07/06/2023	02/24/2026	National Foreign Trade Council	Representative Member

Romig, Jenna	04/18/2023	02/24/2026	OSI Systems, Inc.	Representative Member
Schroeder, Gregory	04/19/2022	02/24/2026	Amway	Representative Member
Smith, Brenda	01/23/2023	02/24/2026	Expeditors International	Representative Member

Number of Committee Members Listed: 19

Narrative Description

The Committee performs such functions and duties and prepares 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. 1001 et. seq., 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 | <input type="checkbox"/> |
| Trust in government | <input type="checkbox"/> |
| Major policy changes | <input type="checkbox"/> |
| Advance in scientific research | <input type="checkbox"/> |
| Effective grant making | <input type="checkbox"/> |
| Improved service delivery | <input type="checkbox"/> |
| Increased customer satisfaction | <input type="checkbox"/> |
| Implementation of laws or regulatory requirements | <input type="checkbox"/> |

Other



Outcome Comments

N/A

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

N/A

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

21

Number of Recommendations Comments

On average 2-3 recommendations are made annually. The total number of recommendations is cumulative over the committee's life 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 measurable 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 measurable 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

N/A

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

No

Grant Review Comments

N/A

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

Access Comments

None