

# 2004 Current Fiscal Year Report: Industry Functional Advisory Commttee on Electronic Commerce for Trade Policy Matters

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<b>1. Department or Agency</b>		<b>2. Fiscal Year</b>	
Department of Commerce		2004	
<b>3. Committee or Subcommittee</b>		<b>3b. GSA Committee No.</b>	
Industry Functional Advisory Commttee on Electronic Commerce for Trade Policy Matters		5299	
<b>4. Is this New Fiscal Year?</b>	<b>5. Current Charter</b>	<b>6. Expected Renewal Date</b>	<b>7. Expected Term Date</b>
No	03/17/2004	03/18/2004	06/16/2004
<b>8a. Was Terminated During Fiscal Year?</b>	<b>8b. Specific Termination Authority</b>		<b>8c. Actual Term Date</b>
Yes			06/16/2004
<b>9. Agency Recommendation for Next Fiscal Year</b>	<b>10a. Legislation Req to Terminate?</b>		<b>10b. Legislation Pending?</b>
Terminate	No		
<b>11. Establishment Authority</b> Statutory (Congress Created)			
<b>12. Specific Establishment Authority</b>	<b>13. Effective Date</b>	<b>14. Committee Type</b>	<b>14c. Presidential?</b>
19 U.S.C. 2155	01/03/1975	Continuing	No
<b>15. Description of Committee</b> National Policy Issue Advisory Board			
<b>16a. Total Number of Reports</b> 5			
<b>16b. Report Date</b>	<b>Report Title</b>		
12/09/2003	Public Summary of 12/9/03 IFAC-4 Meeting		
03/08/2004	IFAC-4 Statutory Advisory Report on U.S.-Australia Free Trade Agreement		

IFAC-4 Statutory Advisory Report on  
03/08/2004 U.S.-Central America Free Trade  
Agreement

IFAC-4 Statutory Advisory Report on  
03/31/2004 U.S.-Morocco Free Trade  
Agreement

IFAC-4 Statutory Advisory Report on  
04/12/2004 U.S.-Dominican Republic Free Trade  
Agreement

**Number of Committee Reports Listed: 5**

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

### **Meetings and Dates**

<b>Purpose</b>	<b>Start</b>	<b>End</b>
To receive industry advice on international trade policy issues affecting the U.S. Electronic Commerce industry.	12/09/2003	12/09/2003
Teleconference call with IFAC-4 members to finalize the Committee Reports on the Australian and Central American Free Trade Agreements.	03/08/2004	03/08/2004
Teleconference call with IFAC-4 members to finalize the Committee Report on the Morocco Free Trade Agreement.	04/05/2004	04/05/2004
Teleconference call with IFAC-4 members to finalize the Committee Report on the Dominican Republic Free Trade Agreement.	04/20/2004	04/20/2004

**Number of Committee Meetings Listed: 4**

	<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>	\$60,000.00	\$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>	\$60,000.00	\$0.00
<b>19. Federal Staff Support Years (FTE)</b>	0.50	0.00

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

In FY 2004, IFAC 4 played an active role in advising the U.S. Government on negotiating objectives and priorities to address the numerous international issues affecting the development and growth of electronic commerce. The wide range of policy issues that they provided advice on were electronic commerce within the WTO, customs duties on electronic transmissions, transborder data transfers and privacy protection, access to telecommunications networks, electronic ordering and delivery of services, consumer protection, spam, EU VAT on electronic commerce, and Internet taxation, and legal issues, such as electronic authentication, jurisdiction, and liability.

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

IFAC 4 is reasonably well-balanced between members who represent a broad spectrum of electronic commerce industries, including small, medium, and large companies. The committee also has representatives from associations who represent various trade sectors, not just the information technology industry. IFAC 4 would benefit from additional expertise and representation from minority-owned electronic commerce companies.

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

The committee meets approximately four times a year. However, the actual number of meetings is dictated by Government need for private sector advice. The U.S. Government will be engaged in multilateral and bilateral trade policy initiatives including Asia - Pacific Economic Cooperation, Organization for Economic Cooperation and Development issues, World Trade Organization Ministerial and Free Trade Agreements. The advice the Government receives from the private sector through the advisory committees will be an ongoing process and will be an intrinsic part of developing U.S. positions for all policy negotiations.

**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 continuing dialogue with Government officials are made aware of Government trade policy at a level not otherwise available to the private sector. Because the committee remains current in the broad spectrum of trade policy rather than a single facet—as would be the case in the absence of a committee structure—the private sector input from the committee 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.

**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 IFACs 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. IFAC 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

Andrea Da Silva International Trade Specialist

Committee Members	Start	End	Occupation	Member Designation
Banner, Anne Marie	03/17/2002	12/31/2004	Microsoft Corporation	Special Government Employee (SGE) Member
Brehm, Carolyn	04/24/2003	06/16/2004	Director, International Government Relations, Proctor & Gamble Company	Special Government Employee (SGE) Member
Chandler, Mark	03/17/2002	06/16/2004	Cisco Systems, Inc.	Special Government Employee (SGE) Member
Chapman, Susan	03/17/2002	06/16/2004	General Motors Corp.	Special Government Employee (SGE) Member

Cohen, Tod	03/17/2002	06/16/2004	eBay, Inc.	Special Government Employee (SGE) Member
Dooley, Barbara	02/04/2000	06/16/2004	Barbara A. Dooley & Associates	Special Government Employee (SGE) Member
Driscoll, Daniel	03/17/2002	06/16/2004	Caterpillar Incorporated	Special Government Employee (SGE) Member
Dunn, Loretta	03/17/2002	06/16/2004	The Boeing Company	Special Government Employee (SGE) Member
Hirth, Christopher	11/26/2002	06/16/2004	Manager, Merger Integration, Intuit, Inc.	Special Government Employee (SGE) Member
Leifer, David	03/17/2002	06/16/2004	American Council on Life Insurers	Special Government Employee (SGE) Member
Owens, Wendy	09/10/2002	06/16/2004	AbleMedia, LLC	Special Government Employee (SGE) Member
Phillips, George	03/17/2002	06/16/2004	Representing Union Carbide, Inc.	Special Government Employee (SGE) Member
Platt, Joel	03/17/2002	06/16/2004	BGE, Ltd.	Special Government Employee (SGE) Member
Schwenning, Lynn	05/27/2003	06/16/2004	Senior Corporate Counsel, Patent & E-Commerce Group Leader, Alticor, Inc.	Special Government Employee (SGE) Member
Sheehy, Timothy	03/17/2002	06/16/2004	IBM Corporation	Special Government Employee (SGE) Member

Terry, Tai	03/17/2002	06/16/2004	Time Warner Inc.	Special Government Employee (SGE) Member
Zagoren, Glenn	03/17/2002	06/16/2004	Zagoren-Zozzora Corporation	Special Government Employee (SGE) Member

**Number of Committee Members Listed: 17**

### **Narrative Description**

IFAC-4 plays an active role in advising the USG on negotiating objectives and priorities to address the numerous international policy issues affecting the development and growth of the digital economy and e-commerce. In FY04, the committee provided advice on e-commerce within the WTO, free trade agreements, customs duties on e-transmissions, transborder data transfers and privacy protection, and access to telecommunications networks. The committee provided final reports on the CAFTA, Morocco and Dominican Republic FTAs, and input to the WTO Cancun Ministerial.

### **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 checked="" type="checkbox"/>
Major policy changes	<input checked="" 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	<input type="checkbox"/>

### **Outcome Comments**

NA

**What are the cost savings associated with this committee?**

Checked if Applies

None	<input type="checkbox"/>
Unable to Determine	<input type="checkbox"/>
Under \$100,000	<input type="checkbox"/>
\$100,000 - \$500,000	<input type="checkbox"/>
\$500,001 - \$1,000,000	<input type="checkbox"/>
\$1,000,001 - \$5,000,000	<input type="checkbox"/>
\$5,000,001 - \$10,000,000	<input type="checkbox"/>
Over \$10,000,000	<input type="checkbox"/>
Cost Savings Other	<input type="checkbox"/>

**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?**

60%

**% 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?**

60%

**% 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

Most feedback is rendered orally during IFAC-4 meetings. When written advice is sent to the Secretary of Commerce and the USTR, it is reviewed by their policy staff and tasked to appropriate ITA units to prepare draft responses. DOC internal procedures require that all responses for Secretarial signature go through a concurrence process.

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

Checked if Applies

Reorganized Priorities	<input 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 checked="" type="checkbox"/>

### Action Comments

DOC and USTR officials have utilized recommendations provided by IFAC-4 when formulating policy and position papers.

### 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 type="checkbox"/>

**Access Comments**

NA