

**U.S. Department of Labor
and the
Office of the United States Trade Representative
Labor Advisory Committee for Trade Negotiations and Trade Policy**

Charter

1. Official Designation

The Labor Advisory Committee for Trade Negotiations and Trade Policy (Committee)

2. Authority

Pursuant to section 135(c)(1) and (2) of the Trade Act of 1974, 19 U.S.C. § 2155(c)(1) and (2), as amended, Section 4(d) of Executive Order 11846 of March 27, 1975, and the Federal Advisory Committee Act (FACA), 5 U.S.C. 10, the Secretary of Labor and the United States Trade Representative hereby renew the Committee.

3. Objectives and Scope of Activities

To provide information and advice with respect to: a) negotiating objectives and bargaining positions before the United States enters into a trade agreement with a foreign country or countries; b) the operation of any trade agreement once entered into; and c) 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 section 135(a) of the Trade Act of 1974, 19 U.S.C. § 2155(a), as amended.

4. Description of Duties

- a. To advise, consult with, and make recommendations to the Secretary of Labor and the United States Trade Representative jointly, on issues and general policy matters concerning labor and trade negotiations, the operation of any trade agreement once entered into, and other matters arising in connection with the administration of the trade policy of the United States.
- b. To provide reports on trade agreements to the President, the Congress, and the Office of the United States Trade Representative at the conclusion of negotiations for each trade agreement.
- c. To perform such other advisory functions relevant to trade negotiations as may be required by the United States Trade Representative and the Secretary of Labor, or their designees.
- d. The advisory functions described under (a), (b), and (c) above will be performed in connection with the preparatory phase of trade negotiations and with respect to

developments arising during the course of negotiations, as well as after a trade agreement is in force.

5. Agency or Official to Whom the Committee Reports

The Committee reports to the Secretary of Labor and the United States Trade Representative.

6. Support

The Bureau of International Labor Affairs, U.S. Department of Labor, is delegated the responsibility for providing necessary administrative support to the Committee by Secretary of Labor Order 18-2006, December 19, 2006. The United States Trade Representative, the Secretary of Labor, or their designated agents and representatives from other governmental departments as appropriate, will provide such additional staff, information, personnel, administrative service and assistance to the Advisory Committee as the Committee may reasonably require to fulfill its purpose and to carry out its activities. Except as otherwise provided in this charter, the Secretary of Labor will be responsible for all notice filings and other applicable statutory requirements as set forth in FACA, with the exceptions set forth in the Trade Act of 1974, as amended.

7. Estimated Annual Operating Costs and Staff Years

\$75,000, which includes 0.40 person-years of staff support.

8. Designated Federal Officer

The Designated Federal Officer (DFO) is the Division Chief in the Trade Policy and Negotiations Division of the Office of Trade and Labor Affairs in the Bureau of International Labor Affairs, U.S. Department of Labor. The DFO will organize and call the Committee meetings, prepare all meeting agendas and materials, and attend all Committee meetings.

The DFO has the responsibility for ensuring that the meetings of the Committee are conducted in accordance with the requirements of FACA and its implementing regulations, the Trade Act, and other applicable laws, regulations, and policies.

The Secretary of Labor and the United States Trade Representative, or their designees, will be responsible for the prior approval of the agenda for all full Committee meetings.

9. Estimated Number and Frequency of Meetings

The Committee will meet at irregular intervals at the call of the United States Trade Representative and the Secretary of Labor depending on such factors as the level of activity during trade negotiations, the needs of the Secretary of Labor and the United States Trade Representative, the nature and volume of reports required by statute, as well

as additional reports that may be provided by the Committee for consideration by the Secretary of Labor and the United States Trade Representative.

10. Duration

Indefinite. As long as there are matters arising in connection with the negotiation and operation of trade agreements and with respect to other matters arising in connection with the administration of the trade policy of the United States.

11. Termination

This charter will expire four years from the date of filing as authorized under the Trade Act of 1974, as amended, 19 U.S.C. § 2155(f)(2)(B).

12. Membership and Designation

a. **Representation.** The Committee will consist of not more than 30 members from the U.S. labor community, appointed by the United States Trade Representative and the Secretary of Labor, acting jointly, for a period not to exceed the duration of the charter. Members may be reappointed. Members will represent the views of their respective organizations, and more generally the views of U.S. workers. A chairman will be elected by the members at a regular meeting.

b. **Requirements.** The agencies will review all proposed candidates through their internal vetting processes to assure compliance with all legal and ethical requirements.

c. Balancing Factors

1. Membership on the Committee will be fairly balanced. Members are representatives from the labor community, normally national or international presidents who represent the interest of their members, and more generally the interests of U.S. workers. Members represent a comprehensive range of workers in a wide range of economic sectors that are directly and indirectly affected by international trade policy. The Office of the United States Trade Representative and the Department of Labor have sought to streamline and consolidate the membership of the Committee to accurately reflect the composition of the American workforce. Within the scope of the Committee's objectives and activities, the need to obtain divergent points of view on the issues before the Committee is of great importance to the development of the Committee's recommendations.

2. To the extent permitted by FACA and other laws, Committee membership should also be consistent with achieving the greatest impact, scope, and credibility among diverse stakeholders. The diversity in such membership includes, but is not limited to, race, gender, disability, sexual orientation, and gender identity.

d. **Travel Expenses and Compensation.** Members of the Committee must not be compensated for their services or reimbursed for travel expenses.

13. Subcommittees

The U. S. Department of Labor and the Office of the United States Trade Representative working with the Designated Federal Officer have the authority to create subcommittees as needed. Any such subcommittee must report back to the Committee, and must not provide advice or work products directly to the Agencies.

14. Recordkeeping

The records of the Committee, formally and informally established subcommittees, or other subgroups of the Committee, will be handled in accordance with General Records Schedule 6.2, Federal Advisory Committee Records or other approved agency records disposition schedule. To the extent consistent with the Trade Act, 19 U.S.C. § 2155(f), these records will be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.

15. Filing Date

This charter is filed on the date indicated below.

Roberto Soberanis

Roberto Soberanis
Assistant United States Trade Representative
for Intergovernmental Affairs and Public
Engagement

Thea Mei Lee

Thea Mei Lee
Deputy Undersecretary of Labor for
International Affairs

Date