



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON DC 20508

CHARTER OF THE TRADE AND ENVIRONMENT POLICY ADVISORY COMMITTEE

1. COMMITTEE'S OFFICIAL DESIGNATION

Trade and Environment Policy Advisory Committee (TEPAC).

2. AUTHORITY

The President established the TEPAC to provide policy advice to the U.S. Trade Representative on issues involving trade and the environment. The relevant authorities are: section 4(d) of Executive Order 11846 of March 27, 1975; Executive Order 12905 of March 25, 1994, as continued; and section 135(c)(1) of the Trade Act of 1974 (19 U.S.C. § 2155(c)(1)) (Trade Act), as amended. The TEPAC is subject to the Federal Advisory Committee Act (FACA) (5 U.S.C. chapter 10).

3. OBJECTIVES AND SCOPE OF ACTIVITIES

The TEPAC is a trade advisory committee established to provide general policy advice to the U.S. Trade Representative on trade policy matters that have a significant impact on the environment. More specifically, the TEPAC provides general policy advice on issues including: (1) negotiating objectives and bargaining positions on environmental matters before entering into trade agreements; (2) the environmental impact of the implementation of trade agreements; (3) matters concerning the operation of any trade agreement once entered into; and (4) other matters arising in connection with the development, implementation, and administration of the trade policy of the United States.

The U.S. Trade Representative anticipates sharing the TEPAC's advice with other relevant agencies interested in the subject matter.

4. DESCRIPTION OF DUTIES

The Office of the United States Trade Representative (USTR) will use the TEPAC solely for advisory purposes.

5. AGENCY OR OFFICIAL TO WHOM THE COMMITTEE REPORTS

The TEPAC reports to the U.S. Trade Representative or their designee. At the conclusion of negotiations for each trade agreement referred to in Section 102 of the Trade Act, the TEPAC will provide to the President, Congress and the U.S. Trade Representative a report on the agreement that includes an advisory opinion on whether and to what extent the agreement promotes the interests of the United States. USTR will ensure that the reporting requirements of FACA Section 6(b) are fulfilled.

6. SUPPORT

USTR Office of Intergovernmental Affairs and Public Engagement. The U.S. Trade Representative will designate a USTR employee as the TEPAC's executive director.

7. ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS

The estimated annual operating costs of the TEPAC are \$47,388 and approximately 0.4 person-year of staff support (full time equivalent (FTE) years).

8. DESIGNATED FEDERAL OFFICER

Full-time USTR employees appointed in accordance with agency procedures will serve as the Primary Designated Federal Officer (DFO) and Secondary DFO. The DFO will approve or call all of the committee and subcommittee meetings, prepare and approve all meeting agendas, attend all committee and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the U.S. Trade Representative or their designee.

9. ESTIMATED NUMBER AND FREQUENCY OF MEETINGS

The TEPAC generally meets two or three times per year, or as necessary, depending on various factors such as the level of activity of trade negotiations and the needs of the U.S. Trade Representative. Meetings are held at the call of the U.S. Trade Representative or their designee, or two-thirds of the TEPAC members.

10. DURATION

The U.S. Trade Representative has an ongoing need for the TEPAC and expects it to continue indefinitely. The charter will expire two years from the date it is filed, unless it is renewed by appropriate action.

11. TERMINATION

The TEPAC will terminate on September 30, 2023, unless extended by the President.

12. MEMBERSHIP AND DESIGNATION

The TEPAC is composed of not more than 35 members, including, but not limited to, representatives from environmental interest groups (including environmental justice), industry (including the environmental technology and environmental services industries), agriculture, academia, consumer groups, services, non-governmental organizations, and others with expertise in trade and environment matters. The TEPAC membership is broadly representative of key sectors and groups of the economy with an interest in trade and environmental policy issues. USTR anticipates that almost all members will serve in a representative capacity with a very limited number serving in an individual capacity as a special government employee.

The U.S. Trade Representative appoints the TEPAC members for a term that will not exceed the duration of this charter, and may reappoint individuals to the TEPAC for any number of terms. In appointing members, the U.S. Trade Representative will consult with the Secretaries of Commerce, Defense, Labor, Agriculture, Treasury, or other executive departments, as appropriate. The U.S. Trade Representative is committed to a trade agenda that advances racial equity and supports underserved communities and will seek advice and recommendations on trade policies that eliminate social and economic structural barriers to equality and economic opportunity, and to better understand the projected impact of proposed trade policies on communities of color and underserved communities. The U.S. Trade Representative strongly encourages diverse backgrounds and perspectives and makes appointments to the TEPAC without regard to political affiliation and in accordance with equal opportunity practices that promote diversity, equity, inclusion, and accessibility. Members serve at the pleasure of the U.S. Trade Representative.

Members serve without either compensation or reimbursement of expenses.

Members must be able to obtain and maintain a security clearance in order to serve and have access to classified and trade sensitive documents. They must meet the eligibility requirements at the time of appointment and at all times during their term of service.

The TEPAC membership will elect a chair from among the TEPAC members.

13. SUBCOMMITTEES

The TEPAC, with the approval of the U.S. Trade Representative or their designee, can create subcommittees that report and provide advice and work products directly to the TEPAC for full deliberation and discussion. Subcommittees may not work independently of the TEPAC, cannot make decisions on behalf of the TEPAC, or report directly to the U.S. Trade Representative.

14. RECORDKEEPING

USTR handles records of the TEPAC, formally and informally established subcommittees, or other TEPAC subgroups, in accordance with General Records Schedule 6.2 or other approved agency records disposition schedules. To the extent consistent with the Trade Act, 19 U.S.C. § 2155(f), these records will be available pursuant to the Freedom of Information Act, 5 U.S.C. § 552.

15. FILING DATE

USTR filed this charter on [DATE].

Sept. 27, 2023

Approved:



Katherine Tai
U.S. Trade Representative