

Environmental Technologies Trade Advisory Committee (ETTAC)
March 7, 2019; 2:30 pm – 3:30 pm
U.S. Department of Commerce

The Environmental Technologies Trade Advisory Committee (ETTAC) convened a conference call at 2:30 pm EST on Thursday, March 7, 2019.

ETTAC Members Present:

Mr. Gil Dhawan	Ms. Adina Adler	Mr. Jack Adams
Mr. Randy Baerg	Mr. Tim Williams	Mr. George Vorsheim
Mr. Michael Delaney	Ms. Ramola Musante	Mr. David Biderman
Ms. Tasha Jamaluddin	Mr. Richard Cawley	Mr. Michael Corvese
Mr. Larry Gottleib	Ms. Vanessa Leiby	Mr. Ashish Raval
Mr. Bill Decker	Mr. Rick Hill	Ms. Anne Germain
Mr. Kevin Summ	Mr. Anthony Quinn	Mr. Michael Goo
Mr. Nilaksh Kothari	Ms. Sue Sylvester	Mr. David Cetola
Dr. Mike Witt	Mr. Dean Amhaus	Dr. Clay Erickson
Mr. Bryan Stubbs	Mr. Philip Benson	Dr. Peter Zemek
Ms. Pauli Undesser	Ms. Debra Waggoner	Mr. Brian Guzzone
Mr. Chuck Chaitovitz	Mr. Gabe Restrepo	

Department of Commerce, International Trade Administration (ITA) Officials Present:

1. Mr. Bart Meroney, Senior Advisor for Manufacturing
2. Mr. David Spence, Office of the General Counsel, Ethics Law Division
3. Ms. Jennifer Chung, Office of the General Counsel, Information Law Division
4. Ms. Amy Kreps, Designated Federal Officer, ETTAC
5. Mr. Ryan Russell, U.S. Commercial Service Environmental Global Team
6. Ms. Elizabeth Goffi, Office of Energy and Environmental Industries

Members of the Public Present

1. Ms. Uliana Pavlova, MLex

MEETING MINUTES

Welcome & Introductory Remarks

DFO Kreps welcomed the new members to the 2018-2020 charter of the ETTAC and provided an overview of the call agenda. DFO Kreps then introduced Bart Meroney (ITA) who gave brief opening remarks, emphasizing the importance of the ETTAC, the internal support that the committee has within the ITA, and the value that the committee offers to the Department.

Ethics Briefing

David Spence from the U.S. Department of Commerce’s Office of the General Counsel, Ethics Law Division gave a short presentation on general matters related to the observation of federal ethics regulations and guidelines. Mr. Spence underscored that members of the ETTAC are “persons who work with the United States Government” and as such, are subject to certain ethics regulations and standards. Mr. Spence noted Government resources may only be used for official authorized Government activities.

He emphasized that ETTAC members should not misuse government information, which is a form of Government property, such as private personnel information, proprietary business data, and other nonpublic information, for their private activities or by disseminating nonpublic information to anyone outside the Government unless the person is specifically authorized to receive the information.

Mr. Spence noted that ETTAC members cannot use their association with the Government, including business contacts obtained through their work with the Government, to try and obtain personal benefits or favors for themselves, their friends, relatives, or business associates. Finally, Mr. Spence conveyed that ethics-related questions may be directed to the Department's Ethics Law and Programs Division at 202-482-5384 or ethicsdivision@doc.gov. The briefing was followed by an opportunity for questions. No questions were asked.

FACA Briefing

Jennifer Chung from the U.S. Department of Commerce's Office of General Counsel, Information Law Division gave a short presentation on the Federal Advisory Committee Act (FACA) and provided an overview of how the ETTAC fulfills its statutory obligations, including the role of the DFO. Ms. Chung introduced herself and thanked the ETTAC members for serving on the committee. She noted that FACA was enacted in 1972 to promote "open government" and therefore, the Department has a number of legal responsibilities as it administers the ETTAC.

Ms. Chung mentioned that there are roughly 1,000 advisory committees government-wide, including 66 at DOC. She underscored that advisory committees advise the government, and the government is not legally required to implement the advice of committees. She noted the importance of the ETTAC charter as a guiding document for committee administration and underscored the importance of "balance" to the membership of the ETTAC. Ms. Chung highlighted that the ETTAC reports to a Federal agency and thus its members are not a spokesperson of the agency or the Administration. She stated that ETTAC members may not speak on behalf of the committee to members of Congress to petition or lobby for or against particular legislation, though individual members can speak to members of Congress or other entities in their personal capacity as private citizens.

Ms. Chung advised the group that ETTAC meetings are subject to public notice as announced in the Federal Register. She noted that ETTAC meetings may be closed to the public, but it is the exception, not the rule, and that administrative meetings convened solely to discuss administrative matters of the committee or to receive administrative information from a Federal officer or agency, are not subject to the notice and open meeting requirements of the FACA. She noted that subcommittee meetings are not required to be noticed and open to the public if advice will be reported to the full committee for deliberation at an open meeting.

Ms. Chung emphasized as the Designated Federal Officer for ETTAC, Ms. Kreps is tasked with approving meetings, calling meetings, preparing and approving meeting agendas, attending all meetings, adjourning meetings if not in the public interest, and other administrative details. Ms. Chung also noted that the committee cannot meet without the DFO being present. She underscored that the DFO should be included in all meetings and committee-related communications. She noted that all material provided to the committee or provided by the committee must be made available to the public upon request. She noted that emails and other material that members provide to the DFO are potentially subject to records retention rules and potentially subject to disclosure under the Freedom of Information Act. Ms. Chung stated that if members have questions to contact Ms. Kreps and she can seek counsel from her and her office. The briefing was followed by an opportunity for questions. No questions were asked.

ETTAC and First Meeting Overview

DFO Kreps provided a presentation on the ETTAC. The presentation began with a historical overview and the committee's statutory underpinnings. It also reviewed how the committee's input would feed into the U.S. Government's trade promotion and policy process for the environmental technologies industry and elaborated on the process by which ETTAC recommendations are developed. Lastly, DFO Kreps introduced the workflow for the upcoming March 19 & 20 in-person meeting.

Discussion & Q&A

Following the final presentation, DFO Kreps opened the call to comments and questions from participating members.

An ETTAC member suggested it would be useful to have more information about the sub-committee structures and workstreams from the last charter.

DFO Kreps responded that she would share the recommendation summaries and letters from the previous charter to all members and noted that they are also available online at www.export.gov/ettac.

An ETTAC member asked how the DFO ensures that the ETTAC is making recommendations that are aligned with Administration priorities.

DFO Kreps responded that previous charters have had briefings from political appointees on Administration priorities. She also noted that it may be helpful for the ETTAC to extend an invitation to senior officials and be very specific about what information members are looking for. DFO Kreps agreed to share the 2016-2018 ETTAC charter's welcome letter to the Secretary as an example.

An ETTAC member announced the upcoming Water Industry Procurement Seminar with the World Bank and the U.S. Commercial Service. The event will take place on March 21, 2019 in Milwaukee, Wisconsin. A portion of the seminar will be provided as a webinar and members were invited to attend.

Opportunity for Public Comment

DFO Kreps provided an opportunity for public comment following the conclusion of the Q&A. No members of the public commented.

Adjournment

The meeting adjourned at approximately 3:30 p.m.

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

Amy Kreps
Designated Federal Officer
Environmental Technologies Trade Advisory Committee

These minutes will be formally considered by the Committee and any corrections or notations will be incorporated.