

**U.S. DEPARTMENT OF COMMERCE
INTERNATIONAL TRADE ADMINISTRATION
PRESIDENT’S EXPORT COUNCIL**

CHARTER

1. Committee’s Official Designation (Title). President’s Export Council (PEC)

2. Authority. The PEC was established pursuant to Executive Order 12131 of May 4, 1979, as amended, and continued most recently by Executive Order 14109 titled “Continuance of Certain Federal Advisory Committees and Amendments to Other Executive Orders” issued on September 29, 2023, for a two-year period ending September 30, 2025. The PEC is governed in accordance with the provisions of the Federal Advisory Committee Act, as amended (FACA), 5 U.S.C. § 1001 *et seq.*

3. Objectives and Scope of Activities. Through the Secretary of Commerce (Secretary), the PEC shall advise the President on matters relating to U.S. export trade and report to the President on its activities and on its recommendations for expanding U.S. exports.

4. Description of Duties. The PEC should survey and evaluate the export expansion activities of the communities represented by its membership; identify and examine specific problems that business, industrial, and agricultural practices may cause for export trade; examine the needs of business, industry, and agriculture to expand their efforts; and recommend specific solutions to these problems and needs.

The PEC may act as liaison among the communities represented by the membership and may provide a forum for those communities on current and emerging problems and issues in the field of export expansion.

The PEC should encourage the business, industrial, and agricultural communities to enter new foreign markets and to expand existing export programs.

The PEC shall provide advice on Federal plans and actions that affect export expansion policies that have an impact on those communities represented by the membership.

The PEC shall function as an advisory committee in accordance with the provisions of FACA and Executive Order 12131, as amended.

The PEC may establish, with the concurrence of the Secretary, an executive committee and such other subordinate committees it considers necessary for the performance of its functions. Members of subordinate committees shall be appointed by the Secretary. The Chair of a subordinate committee shall be designated, with the concurrence of the Secretary, by the Chair of the PEC from among the membership of the PEC. One or more Vice Chair of each subordinate committee may be designated by the PEC Chair with the concurrence of the Chair of the respective subordinate committee, as applicable. Subordinate committees must report back to the PEC and must not provide advice or work products directly to a Federal officer or agency, unless chartered to do so.

5. Agency or Official to Whom the Committee Reports. The PEC will report to the President, through the Secretary of Commerce. The Secretary shall be responsible for filings and other applicable statutory requirements of FACA and is responsible for ensuring the reporting requirements of section 6(b) of the Act are appropriately fulfilled.

6. Support. The International Trade Administration (ITA) of the U.S. Department of Commerce shall provide administrative and staff services, support, and facilities for the PEC as necessary and to the extent permitted by law.

7. Estimated Annual Operating Costs and Staff Years. The estimated annual operating cost of the PEC is approximately \$167,000, which includes 1.3 person years of staff support. Members of the PEC and its subcommittees who are not otherwise paid a salary by the Federal Government shall receive no compensation from the United States by virtue of their service on the PEC, but may, upon their request, be allowed travel expenses, including per diem in lieu of subsistence, as authorized by 5 U.S.C. § 5701 *et seq.*

8. Designated Federal Officer. The Under Secretary for International Trade, U.S. Department of Commerce, shall serve as the Executive Director of the PEC and shall designate a full-time or permanent part-time employee from among the employees of ITA to serve as the Designated Federal Officer (DFO). The DFO will approve or call all committee and subcommittee meetings, attend all committee and subcommittee meetings, adjourn any meeting when adjournment is determined to be in the public interest, and chair meetings when directed to do so by the Secretary of Commerce.

9. Estimated Number and Frequency of Meetings. The PEC shall meet semi-annually; however, additional meetings may be called with the approval of the Secretary and with the concurrence of the Chair. Meeting dates of the full committee shall be approved by the DFO, with the concurrence of the Executive Director, the Secretary, and the Chair. Meeting dates and meeting agendas of the subcommittees shall be approved by the DFO with the concurrence of the Chair of the subcommittee.

10. Duration. Continuing, subject to the Termination section below.

11. Termination. Unless extended by the President, the PEC will terminate on September 30, 2025, consistent with EO 14109 of September 29, 2023.

12. Membership and Designation.

The PEC shall consist of—

- a. the heads of the following executive departments, agencies, or offices, or their representatives: the Department of Agriculture, the Department of Commerce, the Department of Energy, the Department of Homeland Security, the Department of Labor, the Department of State, the Department of Transportation, and the Department of the Treasury; the Office of the United States Trade Representative; the Small Business Administration; the Export-Import Bank of the United States; the United States Trade and Development

Agency; the United States International Development Finance Corporation; Council of Economic Advisors; the Office of Management and Budget; the National Economic Council; and the National Security Council;

- b. in their discretion, the heads of the following organizations or their designees: the National Governors Association and the United States Conference of Mayors;
- c. five members of the United States Senate designated by the President of the Senate to serve a two-year term; and five members of the United States House of Representatives designated by the Speaker of the House to serve a two-year term; and
- d. not more than 28 citizens who are not full-time Federal officers or employees, appointed by the President, and shall include representatives of business and industry, agriculture, and labor. These members shall serve at the pleasure of the President with no set term of appointment.

Members who are appointed by the President serve in a representative capacity and are not Special Government Employees.

The President shall designate a Chair and Vice Chair from among the members appointed by the President.

Members shall not reference or otherwise utilize their membership on the PEC in connection with public statements made in their personal capacities without a disclaimer that the views expressed are their own and do not represent the views of the PEC, ITA, the Department of Commerce, or the U.S. Government.

13. Subcommittees. The PEC may establish, with the concurrence of the Secretary, subcommittees as it considers necessary for the performance of its functions. Members of the subcommittees shall be appointed by the Secretary. The Chair of each subcommittee shall be designated, with the concurrence of the Secretary, by the Chair of the PEC from among the members of the PEC. One or more Vice Chair of each subcommittee may be designated by the PEC Chair with the concurrence of the Chair of the subcommittee. Subcommittees must report back to the PEC and must not provide advice or work products directly to a Federal officer or agency.

14. Recordkeeping. The records of the PEC, formally and informally established subcommittees, or other subgroups of the PEC will be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. Subject to the Freedom of Information Act, 5 U.S.C. § 552, records presented to or prepared for or by the PEC are available for public inspection.

15. Filing Date. The charter is filed on the date indicated below.

JEREMY PELTER Digitally signed by JEREMY PELTER
Date: 2023.11.15 17:58:27 -05'00'

11.15.2023

Deputy Assistant Secretary for Administration
Performing the non-exclusive functions and duties of the
Chief Financial Officer and Assistant Secretary
for Administration

Date

11/16/2023

Filing Date