

**U.S. DEPARTMENT OF COMMERCE
INTERNATIONAL TRADE ADMINISTRATION
UNITED STATES INVESTMENT ADVISORY COUNCIL**

CHARTER

- 1. Committee's Official Designation.** United States Investment Advisory Council.
- 2. Authority.** The Secretary of Commerce (Secretary) established the United States Investment Advisory Council (IAC), pursuant to duties imposed by 15 U.S.C. § 1512 upon the Department of Commerce, in accordance with the Federal Advisory Committee Act, as amended (FACA), 5 U.S.C. § 1001 *et seq.*
- 3. Objectives and Scope of Activities.** The IAC shall advise the Secretary on matters relating to the promotion and retention of foreign direct investment (FDI) in the United States.
- 4. Description of Duties.** The IAC functions solely as an advisory committee in accordance with the provisions of FACA.

The IAC shall advise the Secretary on the United States (U.S.) government's policies and programs that affect FDI, shall identify and recommend programs and policies to help the U.S. attract and retain FDI, and shall recommend ways to support the U.S. in remaining the world's preeminent destination for FDI.

The IAC shall report to the Secretary on its activities and recommendations. In creating its reports, the IAC should evaluate the investment and investment-facilitating activities of stakeholders, should identify and examine specific problems facing potential foreign investors, and should examine the needs of stakeholders to inform the IAC's efforts. The IAC should recommend specific solutions to the problems and needs that it identifies.

- 5. Agency or Official to Whom the Committee Reports.** The IAC shall report to the Secretary through the Under Secretary for International Trade and the Assistant Secretary for Global Markets.
- 6. Support.** The International Trade Administration of the Department of Commerce shall provide administrative and staff services, support, and facilities for the IAC.
- 7. Estimated Annual Operating Costs and Staff Years.** The estimated annual operating cost of the IAC is \$130,525, which includes 0.9 full-time equivalents of staff support. Members of the IAC will not be compensated for their services or reimbursed for their travel expenses.
- 8. Designated Federal Officer.** The Assistant Secretary for Global Markets, U.S. Department of Commerce, shall serve as the Executive Director of the IAC. The Executive Director shall designate the Designated Federal Officer (DFO) from the staff of the SelectUSA program. The DFO shall approve or call all of the IAC's and subcommittees' meetings, prepare and approve all meeting agendas, attend all the IAC 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 Secretary. The DFO will also serve as the Executive Secretary of the IAC.

- 9. Estimated Number and Frequency of Meetings.** The IAC shall, to the extent practical, meet a minimum of two times a year. Additional meetings may be called at the discretion of the Secretary or his/her designee. The meetings will take place in Washington, DC, or elsewhere in the United States, or be held via teleconference or videoconference. Members are expected to attend a majority of the IAC's meetings. If this expectation is not met, service on the IAC may be terminated at the discretion of the Secretary.
- 10. Duration.** Continuing.
- 11. Termination.** This committee will terminate two (2) years from the date of its filing with the standing committees of the Senate and the House of Representatives having legislative jurisdiction of the agency unless terminated earlier or renewed by proper authority.
- 12. Membership and Designation.** The IAC shall consist of no more than forty (40) members appointed by the Secretary. Members shall represent companies and organizations investing, seeking to invest, seeking foreign investors, or facilitating investment across many sectors, including, but not limited to:
- U.S.-incorporated companies that are majority-owned by foreign companies or by a foreign individual or individuals, or that generate significant foreign direct investment (e.g., through their supply chains);
 - Companies or entities whose business includes FDI-related activities or the facilitation of FDI;
 - U.S.-incorporated companies, regardless of ownership, that are considering expanding their operations in the United States or transferring to the United States operations that are currently being conducted overseas; and
 - Economic development organizations and other U.S. governmental and non-governmental organizations and associations whose missions or activities include the promotion or facilitation of FDI.

All members must be a U.S. citizen or permanent resident. Members shall be selected based on their ability to carry out the objectives of the IAC, in accordance with applicable Department of Commerce guidelines, in a manner that ensures that the IAC is balanced in terms of points of view, industry subsector, organization type, geography of the source and the destination of the FDI, and company size. Members shall also represent a broad range of products and services and shall be drawn from large, medium, and small enterprises, private-sector organizations involved in investment, and other investment-related entities including non-governmental organizations, associations, and economic development organizations. The diverse membership of the IAC assures perspectives reflecting the breadth of the IAC's responsibilities, and, where possible, the Department of Commerce will also consider the ethnic, racial, and gender diversity and various abilities of the United States population. In selecting members, priority may be given to the selection of executives, i.e., Chief Executive Officer, Executive Chairperson, President, or an officer

with a comparable level of responsibility.

Members serve in a representative capacity, representing the views and interests of their sponsoring entities and those of their particular sector (if applicable); they are, therefore, not Special Government Employees.

Each member generally shall be appointed for a term of two years and will serve at the pleasure of the Secretary. The Secretary may at his/her discretion reappoint any member to an additional term or terms, provided that the member proves to work effectively on the IAC and his/her perspective, knowledge, and advice is still needed.

The Secretary shall designate a Chair and Vice Chair from among the members.

Members shall not reference or otherwise utilize their membership on the IAC 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 IAC, the International Trade Administration, the Department of Commerce, or the U.S. government.

- 13. Subcommittees.** The Executive Director may create subcommittees or working groups, in order to perform specific functions within the jurisdiction of the IAC, pursuant to the provisions of FACA, the FACA implementing regulations, and applicable Department of Commerce guidance. Subcommittees and working groups report back to the parent committee and must not provide advice or work products directly to the agency.
- 14. Recordkeeping.** The records of the IAC, formally and informally established subcommittees, or other subgroups of the IAC, are handled in accordance with the 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 IAC are available for public inspection. ITA's Office of Advisory Committees and Industry Outreach shall maintain all files mandated by the FACA and the Department of Commerce's policies on advisory committee management.
- 15. Filing Date.** The charter is filed on the date indicated below.

JEREMY PELTER Digitally signed by JEREMY PELTER
Date: 2024.04.01 16:57:49 -04'00'

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

4.1.24

Date

4/2/2024

Filing Date