CHARTER OF THE
DEFENSE TRADE ADVISORY GROUP

1. Committee's Official Designation.

The official designation shall be the Defense Trade Advisory Group (hereinafter "DTAG")

2. Authority.

DTAG is established under the general authority of the Secretary and Department of State as set forth in Title 22 of the United States Code. The DTAG is governed by the provisions of the Federal Advisory Committee Act ("FACA"), 5 U.S.C. Appendix, which sets forth standards for the formation, use, and operation of advisory committees. The approval of the Charter by the Under Secretary of State for Management constitutes a determination by the Secretary of State that the establishment of DTAG is in the public interest in connection with the performance of duties imposed by law on the Department of State.

3. Objectives and Scope of Activities.

The purpose of the DTAG is to provide a formal channel for regular consultation and coordination with U.S. private sector defense exporters and defense trade specialists on issues involving U.S. laws, policies, and regulations for exports of defense articles, services, and related technical data. The DTAG serves the Department in a solely advisory capacity.

4. Description of Duties.

The Defense Trade Advisory Group will advise the Department on its support for and regulation of defense trade to help ensure that the foreign policy and national security interests of the United States continue to be protected and advanced while helping to reduce unnecessary impediments to legitimate exports in order to support the defense requirements of U.S. friends and allies.

5. Agency or Official to Whom the Committee Reports.

The DTAG reports to the Directorate of Defense Trade Controls, Political Military Bureau.

6. Support.

Support functions for the operation of the DTAG and its subsidiary bodies shall be supplied by funds available to the Secretary of State.

7. Estimated Annual Operating Costs and Staff Years.

Estimated annual costs are $5,000 for staging biannual plenaries and for related supplies. Manpower requirements are approximately 0.5 FTE.

8. Designated Federal Officer.

The Assistant Secretary of State for Political-Military Affairs ("the Assistant Secretary") shall appoint a government officer to serve as DTAG's Designated Federal Officer (DFO). As DTAG officers are members of the private sector, the DFO is not a DTAG officer. An alternate DFO may also be appointed. The DFO or alternate DFO will approve or call all of the advisory committee meetings and the meetings of any subcommittees; will prepare and approve all meeting agendas, attend all committee and subcommittee meetings; adjourn any meeting when the DFO or alternate DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the Secretary of State and ensures the Assistant Secretary is apprised of DTAG proceedings and activities;

Along with others in the Directorate of Defense Trade Controls, the DFO serves as a liaison between the DTAG and the public, providing current information concerning the operations of the DTAG.

9. Estimated Number and Frequency of Meetings.

A DTAG meeting will be called by the DFO following a request by the Chairman. It is anticipated that there will be two meetings per year. All meetings will be open to the public unless a determination is made in

accordance with Section 10(d) of the Federal Advisory Committee Act, as amended, that a meeting or portion of a meeting should be closed to the public. Timely notice of the meeting will be published in the *Federal Register* and shall contain all of the information required by the Federal Advisory Committee Act. Except in exceptional circumstances, such notice shall be given at least 15 days in advance of the meeting date.

10. Duration.

It is anticipated that there will be a continuing need for the advice offered by this DTAG. The Department will periodically review this need.

11. Termination.

DTAG shall terminate automatically in one year unless it is renewed or extended by appropriate action prior to that date.

12. Membership and Designation.

Members of the DTAG shall be appointed by the Assistant Secretary. The DTAG will consist of up to sixty members, who shall be designated as representatives for the purpose of Federal ethics rules.

The Assistant Secretary shall appoint a Chair, Vice-Chair, and all other DTAG officers. DTAG officers, like DTAG members, shall be private sector individuals.

The Assistant Secretary may appoint Department of State employees as *Ex Officio* Members of DTAG. The Assistant Secretary may delegate this authority to the Designated Federal Officer.

Detailed minutes shall be kept of each meeting of the DTAG, which shall include a record of the persons present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued or approved by the DTAG. The Chairman shall certify the accuracy of such minutes within 90 days after the meeting to which the minutes relate.

13. Subcommittees.

The Assistant Secretary may establish Working Groups and Task Forces as he or she deems appropriate for assisting the DTAG to carry out its work. These subgroups will not report directly to U.S. Government officials but only assist the DTAG in its consideration of issues. They will report to the DTAG.

14. Recordkeeping.

The records of the DTAG and any subcommittees shall consist of all papers and documents pertinent to its establishment and activities, including its Charter, agenda, determinations for closed meetings, minutes, reports, and all documents related to its proceedings, including those of any study groups The records shall be handled in accordance with General Records Schedule 26, Item 2. These records shall be available for public inspection and copying to the extent required by the Freedom of Information Act, 5 U.S.C. Sec. § 552 from the Bureau of Political-Military Affairs, in the U.S. Department of State Reading Room.

15. Filing date:

NOW, THEREBY, this Charter shall be considered approved by the Department of State as of this date and shall be provided to the Senate Foreign Relations Committee and the House Foreign Affairs Committee, and to the Library of Congress pursuant to the provisions of the FACA.

Approved: Patrick F. Kennedy

Patrick F. Kennedy
Under Secretary of State for Management

Date: April 27, 2010