

UNITED STATES DEPARTMENT OF HOMELAND SECURITY

U.S. CUSTOMS AND BORDER PROTECTION

AIRPORT AND SEAPORT INSPECTIONS USER FEE ADVISORY COMMITTEE

1. Committee's Official Designation:

U.S. Customs and Border Protection Airport and Seaport Inspections User Fee Advisory Committee (the Committee).

2. Authority:

As provided for in 8 U.S.C. § 1356(k), this charter establishes the U.S. Customs and Border Protection Airport and Seaport Inspections User Fee Advisory Committee. This Committee is established in accordance with and operates under the provisions of the *Federal Advisory Committee Act* (FACA), 5 U.S.C. § App.

3. Objectives and Scope of Activities:

The Committee shall advise the Secretary of the Department of Homeland Security (DHS) on issues related to the performance of airport and seaport inspections coinciding with the assessment of an agriculture, customs, or immigration user fee. This guidance should include, but not be limited to, the time period during which such services should be performed, the proper number and deployment of inspection officers, the level of fees, and the appropriateness of any proposed fee.

4. Description of Duties:

The duties of the Committee are solely advisory in nature.

5. Officials to Whom the Committee Reports:

The Committee reports to the Secretary of Homeland Security through the U.S. Customs and Border Protection (CBP) Commissioner.

6. Agency Responsible for Providing Necessary Support:

DHS shall be responsible for providing financial and administrative support to the Committee. Within DHS, the Office of Trade Relations in CBP will provide this support.

7. Estimated Annual Operating Costs and Staff Years:

The estimated annual staff years will be 10 hours per week.

8. Designated Federal Officer:

A full-time or permanent part-time employee of CBP shall be appointed by the Commissioner of CBP as the Designated Federal Officer (DFO). The DFO, or the DFO's designee, shall approve or call all of the Committee and subcommittees' 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 Commissioner.

9. Estimated Number and Frequency of Meetings:

The Committee is expected to meet approximately once per year. Additional meetings may be held with the approval of the DFO. Committee meetings shall be open to the public unless a determination is made by the appropriate DHS official in accordance with DHS policy and directives that the meeting should be closed in accordance with 5 U.S.C. § 552b(c).

10. Duration

Continuing

11. Termination

This charter is in effect for two years from the date it is filed with Congress unless sooner terminated. The charter may be renewed at the end of this 2-year period in accordance with section 14 of FACA (5 U.S.C § App.).

12. Member Composition:

The Committee shall consist of up to 20 members. Members are appointed by and serve at the pleasure of the Secretary of the DHS. The members are selected to represent the point of view of the airline, cruise ship, transportation, and other industries that may be subject to agriculture, customs, or immigration user fees and are not Special Government Employees as defined in 18 U.S.C. § 202(a). Members shall not be paid or reimbursed for any travel, lodging expenses, or related costs for their participation on this Committee.

A member appointed to fill an unexpired term shall serve the remainder of that term. In the event the committee terminates, all appointments to the committee shall terminate.

13. Officers

The CBP Commissioner shall appoint one of the members of the Committee as the Chair and one of the members as Vice Chair.

14. Subcommittees:

The DFO may establish subcommittees for any purpose consistent with this charter. Such subcommittees may not work independently of the full Committee and must report their recommendations and advice to the Committee for full deliberation and discussion. Subcommittees have no authority to make decisions on behalf of the Committee and may not report directly to the Federal Government or any other entity.

15. Recordkeeping

The records of the Committee, formally and informally established subcommittees, or other subgroups of the Committee, shall be handled in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.

16. Filing Date:

April 25, 2013
Department Approval Date

June 3, 2013
CMS Consultation Date

June 4, 2013
Date Filed with Congress