

Article I – Official Designation

The official designation of this Council is the “Transportation Systems Sector Government Coordinating Council,” hereinafter referred to as the “GCC.”

Article II – Mission and Purpose

Presidential Policy Directive 21, “Critical Infrastructure Security and Resilience” (PPD 21), released in February 2013, identifies 16 critical infrastructure sectors and designates the Department of Homeland Security (DHS) and the Department of Transportation (DOT) as the Co-Sector Specific Agencies (Co-SSA) of the Transportation Sector. DHS delegated authorities to carry out its Co-SSA role to the Transportation Security Administration (TSA) and the United States Coast Guard (USCG). PPD 21 also calls for an update of the National Infrastructure Protection Plan (NIPP). The updated *NIPP 2013: Partnering for Critical Infrastructure Security and Resilience*, was released in November 2013 and serves as a guide for the national effort to manage risk to the Nation’s critical infrastructure. It reaffirms the important role of public-private partnership structures in communication and collaboration within and across sectors.

The Government Coordinating Council (GCC) will serve as the overarching body that provides direction and strategic guidance to the sector’s sub-councils and working groups on security and resilience programs, policies, and activities that they undertake. . The GCC will develop and lead the way ahead, supporting interagency, intergovernmental, and cross-jurisdictional coordination as the sector navigates through implications of the shift from a counterterrorism to an all-hazards environment.

Article III – Objectives and Scope of Activity

The GCC coordinates security and resilience issues and activities that are applicable to the entire Transportation Systems Sector. The GCC fosters communication across and between governments and private industry in support of the nation's homeland security and resilience mission. The GCC acts as the counterpart to the private industry-led "Sector Coordinating Council" (SCC) for the transportation sector. The GCC, in coordination with the SCC, will review and develop sector-wide programs necessary to strengthen the security and resilience of the Transportation Systems Sector.

The GCC will accomplish this objective through the following:

- **Identifying areas and issues where public-private coordination and communication will enhance transportation sector security and resilience.** The GCC and SCC shall bring together diverse Federal, State, and local interests to identify and develop collaborative strategies that advance sector-wide security and resilience.
- **Identifying and addressing security and resilience needs and potential gaps in plans, programs, policies and procedures, and strategies.**
- **Assisting with information sharing and exchange.** The GCC assists in the sharing of

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information, experiences, ideas, best practices, innovative approaches, and any other homeland security-related material.

- **Facilitating engagement and coordination.** The GCC will periodically meet with the SCC to ensure the ongoing engagement of industry and the continued operational relevance of GCC decisions and products.
- **Highlighting successful programs and practices.** The GCC shall recognize programs and practices that enhance the level of security and resilience in the Transportation Sector, while facilitating the transfer of best practices across modes as appropriate.
- **Addressing other relevant topics.** Addressing subjects the GCC determines are in the interest of enhancing transportation security and resilience.

Article IV – Membership and Member Representatives

Membership: The GCC permanent membership consists of key Federal departments and agencies responsible for or involved in the Transportation Sector.

The GCC recognizes the integral relationship that it has with similar GCCs for other sectors and will leverage its participation with these other councils as a way to connect issues across sectors at all levels of government and with private industry.

Permanent members of the GCC shall be a senior official, or designee, with the authority to speak on behalf of their agency, from:

- Department of Agriculture
- Department of Commerce
- Department of Defense
- Department of Energy
- Department of Homeland Security
 - Federal Emergency Management Agency (FEMA)
 - Transportation Security Administration (TSA)
 - United States Coast Guard (USCG)
 - United States Customs and Border Protection (CBP)
- Department of Justice
- Department of Transportation
 - Office of the Secretary (OST)

The GCC co-chairpersons may designate additional permanent Federal department or agency members, as deemed necessary and appropriate. The co-chairpersons may also invite *ad hoc* members from other departments, agencies or offices to meet expertise requirements necessary to fulfill its mission. This *ad hoc* membership may be expanded to include State, Local, Tribal and Territorial (SLTT) officials involved in the sector.

Ad hoc members are non-permanent, non-voting participants whose criteria and qualifications for participation are based on the ongoing needs for expertise of the GCC co-chairs. Their participation will enable the GCC to gain relevant organizational and institutional representation and expertise. *Ad*

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hoc membership may be withdrawn, at the determination of the GCC co-chairpersons, as necessary when the particular expertise is no longer required.

Article V – Governance and Officers

Co-Chairs: Representatives from the co-SSAs shall serve as the co-chairpersons and will provide leadership over the GCC's activities and meetings. In addition, the Assistant Secretary of DHS' Office of Infrastructure Protection (NPPD/IP) will also serve as a co-chairperson. Responsibility as the single point-of-contact for GCC management and administration will be rotated on a schedule agreed upon by the co-chairpersons.

Decision-Making Authority: Permanent members of the GCC will have voting rights and the authority to make decisions.

Alternates: Each GCC member shall assign an alternate to represent them during their absence. Each member has the flexibility to have representation at meetings other than the official alternates, but must clearly designate that representative prior to the meeting in writing to the co-chairpersons.

Article VI – Meetings and Voting Procedures

The GCC will meet semiannually, with additional meetings held as needed.

GCC members work to achieve consensus through a consultative process that encourages the exchange of information and points of view. Dissent will be recognized and thoroughly discussed to ensure the rationale for final decisions is clearly understood by all other members.

Quorum: A quorum for the GCC is the presence of a simple majority, or more than fifty percent of the permanent members. A quorum, which must include co-chairpersons from the DOT, TSA and USCG, is required to vote on issues being addressed.

Voting Procedures: Each permanent member shall be entitled to one vote at the Department level, and may cast that vote on each matter called for a vote by the co-chairpersons. Absentee ballots shall not be permitted. A simple majority is necessary to approve a decision. In the event of a tie, the co-chairs will decide the final outcome.

The GCC recognizes that each member represents a government entity or organization with inherent legal authorities and parameters within which it must operate. At times, legal requirements may restrict a member's ability to vote in favor of a decision. When legal objections form the basis or part of the basis for a member's dissent, the member must obtain from its legal counsel a clear articulation of the relevant legal issues, which must be presented to the GCC. The GCC also recognizes that other considerations besides legal considerations may form for the basis for a member's dissent.

The Council also recognizes that members may not always have a stake in every issue discussed. Any member may abstain from voting if their programs or authorities are not involved, thereby deferring to members who have specific competence in the issue at hand.

Article VII – Recordkeeping

The co-chairpersons shall maintain all GCC records, which shall be handled in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition schedule. Record maintenance will be rotated among the co-SSAs on a schedule agreed upon by the co-chairpersons. The public availability of these records shall be determined in accordance with the Freedom of Information Act (FOIA) (Title 5, United States Code, section 552).

Article VIII – Communications

The co-chairpersons will ensure a communication mechanism exists for sharing information among GCC membership, and will share information with appropriate counterparts and senior leadership of the GCC, as applicable. The GCC may develop communications mechanisms to provide specific types of information to the sector.

Article IX – Sub-Council and Working Groups

Sub-Councils: Sub-councils for the Transportation Systems Sector may exist for the following sub-sectors: Aviation; Highway and Motor Carrier; Mass Transit and Passenger Rail; Freight Rail; Pipelines; Maritime; and Postal and Shipping.

Each sub-council is responsible for nominating its own chair. The sub-council chairperson(s) shall develop a charter to guide the work of the sub-council before the start of any deliberations or coordination. Sub-council membership may be supplemented as needed by individuals serving as subject matter experts. All sub-council members shall be listed on the charter.

Working Groups: The GCC will establish working groups when substantial investigation, research, or other cross-modal tasks (i.e., hazardous materials transportation, cyber security issues, and similar concerns affecting multiple transportation modes) are required that cannot be achieved at a regular GCC session or within a modal sub-council. Working groups will have a leader designated by the GCC co-chairpersons, a charter, a time limit to meet the charter purpose, and a deliverable.

Individual charters for sub-councils and working groups will serve as appendices to this charter.

Article X – CIPAC Membership and Representation

Council Participation in Critical Infrastructure Partnership Advisory Council (CIPAC)
As explained in the CIPAC Charter of March 17, 2014, the Secretary of Homeland Security established the CIPAC in March 2006, and exempted the CIPAC from the Federal Advisory Committee Act (FACA).

CIPAC facilitates interaction between government officials and representatives of the community of owners and/or operators for each of the 16 critical infrastructure sectors defined

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by PPD-21 and identified in NIPP 2013. When participating in CIPAC activities, the GCC will comply with all requirements defined in the CIPAC Charter and guidance issued by the CIPAC Designated Federal Officer (DFO) within the CIPAC Executive Secretariat.

CIPAC membership is defined in its charter. GCC member organizations shall automatically be a CIPAC Member upon notification from the Council Chairperson to the CIPAC DFO via CIPAC@hq.dhs.gov.

A CIPAC member may have more than one CIPAC Member Representative. The Member Representative's name and contact information shall be added to the CIPAC Attendee Roster upon notification to the CIPAC DFO by the Council Chairperson via CIPAC@hq.dhs.gov.

The procedures for maintaining a CIPAC Member Representative list within the GCC are as follows:

- The co-chairpersons will inform the CIPAC Chair via email of their Member Representatives to participate in CIPAC activities.
- The co-chairpersons will maintain a list serve of GCC members, which any member may use as deemed appropriate. The co-chairpersons will inform the CIPAC DFO via email of changes and/or updates to the membership rosters on a quarterly basis, or as required.

A Transportation Sector GCC chairperson, or designated alternate(s), will represent the sector at Federal Senior Leadership Council, Joint Cross-Sector Council, and CIPAC Plenary meetings.

Federally Registered Lobbyists

Per Presidential Policy Memorandum of August 13, 2014 on "Lobbyists on Agency Boards and Commissions," Federally Registered Lobbyists may not participate as council members in an "individual capacity." Federally Registered Lobbyists may serve in a "representative capacity" such that they represent the interests of a nongovernmental entity or a recognizable group of persons, including, but not limited to, an industry sector, or state and local governments.

Article XI – Amendments

Amendments to this charter shall be handled using the voting procedures defined in Article VI. The amended Charter shall be forwarded in a timely manner to the CIPAC DFO for posting on the CIPAC public website.

Article XII – Bylaws

The GCC shall develop and formalize bylaws that further outline its administration, activities, and conduct. Any such document shall be approved as stated in the voting procedures defined in Article VI. All bylaws shall be forwarded in a timely manner to the CIPAC DFO for posting on the CIPAC public website.

Article XIII – Duration

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The Council will review and assess the adequacy of this Charter annually. If amended, the Charter shall be in effect for one year after the amendment is approved.

Article XIV – Approval

This charter was ratified by the Transportation Systems Sector co-SSAs on April 30, 2015.