

Federal Senior Leadership Council

Charter

Article I – Establishment and Official Designation

The Federal Senior Leadership Council (FSLC) serves as the primary cross-sector council for Sector Risk Management Agencies (SRMAs) and other federal departments and agencies with responsibility for critical infrastructure security and resilience. FSLC is also the primary mechanism to develop and advance the objectives of the National Infrastructure Protection Plan (National Plan).¹

Article II – Purpose

The purpose of FSLC is to coordinate the shared responsibilities of federal departments and agencies with responsibility for critical infrastructure security and resilience, as well as encourage communication and cooperation between those designated as SRMAs and non-SRMA specialized or supporting agencies.² SRMAs have a role in implementing: (i) The National Infrastructure Protection Plan, (ii) Presidential Policy Directive 21 – Critical Infrastructure Security and Resilience (PPD-21), (iii) Executive Order 13636 – Improving Critical Infrastructure Cybersecurity (E.O. 13636), and (iv) successor documents or subsequently-dated issuances thereof.

Article III – Scope of Activity

FSLC's primary activities include:

- Serving as an interagency coordination body to consult with SRMAs and other relevant federal departments and agencies to periodically review and revise the National Plan pursuant to 6 U.S.C. § 652(e)(1)(E) no less than every five years.³
- Leveraging designated departments and agencies' role as Sector Risk Management Agencies to inform activities to secure and protect against critical infrastructure risks.
- Considering, coordinating, and as appropriate, supporting implementation of recommendations in the 9002b Assessment.⁴
- Conducting council operations as referenced in Annex B.
- Coordinating with SRMAs to address national priorities and ensure situational awareness of all departments and agencies with responsibility for critical infrastructure security and resilience.
- Striving to unify understanding of the unique expertise and specialized capabilities of FSLC member organizations.
- Evaluating the SRMA structure, reviewing the national framework for securing critical infrastructure, and making recommendations to the President regarding any required

¹ The FSLC supports the responsibilities of the CISA Director under 6 U.S.C. §§ 652(c)(2), (4), (e)(1)(E); 652a; 665d.

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³ 6 U.S.C. § 652(e)(1)(E).

⁴ [Section 9002\(b\) Report | CISA; Letter from the President to Select Congressional Leadership on the Nation's Critical Infrastructure | The White House](#)

changes.⁵

- Building a mechanism for coordination of critical infrastructure prior to a national emergency incident as required by the SRMA roles and responsibilities “supporting incident management” and “contributing to emergency preparedness efforts” as stated in 6 U.S.C. § 665d.⁶

Article IV – Membership

Membership

Membership resides with the member agency. Member agencies include the designated SRMAs and other federal departments and agencies with authorities, responsibilities, or capabilities relevant to the security and resilience of the nation's infrastructure as listed in Annex A: List of FSLC Members of this Charter. Components of the Executive Office of the President are ex officio members of the FSLC.

Agency Representatives

- ***Principal Representatives***

Each member agency shall designate no more than two (2) Principal Representatives (consisting of a primary and an alternate) at the Assistant Secretary level (or equivalent office head as indicated in Annex A: List of FSLC Members) with decision-making authority and responsibility, and policy expertise. Principal Representatives should be able to commit resources on behalf of their department or agency on matters within Article III – Scope of Activity. Principal Representatives help decide priorities and provide direction to Action Officers and Working Groups. They are also responsible for approving Working Group outputs. The FSLC Executive Secretariat shall maintain a record of the Principal Representatives for each member agency.

- ***Action Officers***

Each member agency shall designate one or more FSLC Action Officer(s) to lead and coordinate activities on behalf of their agency and serve as the agency representative in those activities not requiring the participation of the corresponding Principal Representative. Action Officers shall be senior federal officials or GS-15 equivalent employees with thorough knowledge and understanding of the mission, programs, and authorities of their agencies. Action Officers constitute the main entry point for communications and day-to-day coordination with their agencies on issues and topics related to the council and should have the authority to speak for and make decisions for their agencies. The FSLC Executive Secretariat shall maintain a record of the FSLC Action Officers for each member agency.

- ***Technical Experts***

At the discretion of their corresponding Principal Representatives, each member agency may identify additional representatives (e.g., technical or subject matter experts) to provide specific knowledge and expertise related to the mission, programs, and authorities of their agencies in support of activities undertaken by the council. Technical experts may support FSLC working groups or specific lines of effort by providing agency-specific expertise and information. Technical experts may be federal employees or federal contractor employees; however, federal contractor employees may not engage in inherently governmental functions, nor may they officially represent the member agency. The FSLC Executive Secretariat shall maintain a record of the FSLC technical experts for each member agency.

⁵ 6 U.S.C. § 652a.

⁶ 6 U.S.C. § 665d.

Article V – Governance

Leadership

CISA's Director, as the designated federal lead to coordinate a national effort to secure and protect against critical infrastructure risks, serves as the FSLC Chair.⁷ CISA's Executive Director serves as Chair in the absence of CISA's Director and operates as the Executive Steward for the FSLC.

The FSLC Executive Steward has the following responsibilities: (i) Chairing FSLC meetings in the absence of the FSLC Chair, (ii) setting FSLC meeting schedules and agendas, (iii) representing the FSLC to the federal government and other critical infrastructure partners, and (iv) coordinating within the Department of Homeland Security (DHS), federal departments and agencies, and the FSLC Executive Secretariat.

Decision Process

Agencies designated as SRMAs share the same statutory requirements under Section 2218 of the Homeland Security Act; however, the scope, scale, and method of SRMA operations will differ. To ensure that common responsibilities are jointly executed, and sector-specific realities are addressed, the FSLC shall develop joint processes through a consultative process. CISA will establish, in coordination with FSLC members, standard operating procedures for coordination with SRMAs, departments, and agencies; CISA will coordinate issues, which include SRMA, department, or agency equities. FSLC governance shall encourage the exchange of information and points of view and reach decisions by consensus. On any matter where the FSLC cannot reach consensus, the Chair, or a Principal Representative in coordination with the Chair, may refer the matter to the National Security Council (NSC) within the Executive Office of the President for further consideration and resolution.

Decisions reached through the FSLC process will not contradict inherent authorities of federal departments and agencies. The FSLC is not designed to determine or codify policy on behalf of the Administration, but to coordinate critical infrastructure security and resilience activities across SRMAs and other federal departments and agencies, in accordance with statutory authorities, PPD-21, the National Infrastructure Protection Plan, and relevant successor documents. FSLC recognizes that each Principal Representative's federal department or agency must operate within a mission and parameters that may be distinct from those of any other member of FSLC. At times, a federal department or agency's mission may restrict a Principal Representative's ability to agree with a potential decision.

The FSLC may charter subordinate working groups. These working groups are established to carry out council responsibilities at a working level, execute workstreams, or to implement decisions of the FSLC pursuant to the responsibilities laid out in this charter.

Article VI – Meetings

Full Council Meetings

The FSLC will meet as a full council with participation of Principal Representatives and Action Officers (in person or by teleconference) at least twice per year. FSLC full council meetings are led by the FLSC Chair or Executive Steward. Additional full council meetings may be scheduled as needed at the Chair's discretion or upon request to the Chair from a Principal Representative.

⁷ [Text - H.R.3359 - 115th Congress \(2017-2018\): Cybersecurity and Infrastructure Security Agency Act of 2018 | Congress.gov | Library of Congress](#); [Presidential Policy Directive -- Critical Infrastructure Security and Resilience | whitehouse.gov \(archives.gov\)](#)

In the event the Principal Representative and alternate Principal Representative are unable to attend a full council meeting, the federal department or agency shall designate another federal official or employee as a replacement to attend the meeting. Such designation shall be made on a per-meeting basis only and not for general replacement purposes. The federal department or agency wishing to designate a replacement for a full council meeting shall notify the FSLC Executive Secretariat in writing regarding a replacement designation. Notifications to designate replacement representatives shall be delivered by e-mail to FSLC@cisa.dhs.gov prior to the meeting.

Offices and agencies not considered FSLC members under the charter can participate on an as needed basis at the invitation and discretion of the FSLC Chair or Executive Steward.

The FSLC Executive Steward shall reach out to Council members in advance of meetings to request proposed meeting topics. FSLC representatives may propose agenda items to the FSLC at any time.

Coordination Meetings

FSLC Action Officers will meet quarterly and as needed (in person or by teleconference) to maintain an appropriate level of coordination and information sharing among agency members. FSLC coordination meetings are led by CISA's Action Officer, the Assistant Director for Stakeholder Engagement. Additional meetings of Action Officers may be scheduled as needed at the discretion of the FSLC Chair, or upon request from any member agency through the corresponding Principal Representative.

Chartered Working Group Meetings

The FSLC working groups will meet as frequently as necessary to achieve their goals but must operate in accordance with a working group charter. At a minimum, the charter must define the purpose, scope, objectives, desired outcome(s), expected duration, meeting frequency, and working group membership. Working group charters are submitted to and approved by FSLC. The FSLC Executive Secretariat maintains a record of working group charters and working group representatives for each working group.

Article VII – Executive Secretariat and Recordkeeping

The Executive Secretariat to FSLC will be provided by CISA's Assistant Director for Stakeholder Engagement to support meeting logistics, planning, committee and/or working group support, and recordkeeping. The FSLC Executive Secretariat will maintain all meeting records, including minutes, in accordance with the records management policy and guidelines established by DHS.

Article VIII – Communications

The FSLC Chair shall implement communications and coordination policies and procedures to accommodate its necessary functions. FSLC is expected to use multiple communications pathways, including e-mail and teleconference platforms, to maintain functionality.

The FSLC serves as the consultative body for required consultation and coordination between the Department of Homeland Security, the CISA Director, and the federal departments and agencies with responsibilities related to the security and resilience of the nation's critical infrastructure.⁸ FSLC decisions that require transmittal to the President (including recommendations for revisions to the sector structure or designations of SRMAs) will be submitted by the FSLC Chair to the NSC for further consideration.

⁸ The FSLC supports the responsibilities of the CISA Director under 6 U.S.C. §§ 652(c)(2), (4), (e)(1)(E); 652a; 665d.

Article IX – Working Groups

The FSLC may form working groups within the scope of the FSLC to address certain topics or to undertake substantial or focused investigations, research, or other tasks that cannot be completed during regular FSLC meetings. All working groups shall be subordinate to the FSLC and will report their activities and findings during FSLC council meetings. Working Groups will identify intended outcomes and establish performance measures and/or milestones. The FSLC provides oversight of all working groups to ensure they are meeting intended objectives, operating within the bounds of the FSLC guidance, and are on track to meet milestones.

At the discretion of their corresponding Principal Representatives, member agencies must designate their working group representatives. Representatives of federal departments or agencies who are not members of the FSLC may participate in working group meetings as technical experts to provide expertise on specific issues or to represent equities relevant to the activities of the working group.

All decisions, products, and recommendations resulting from working group activities are subject to review and approval by the full council. Working groups will submit pre-decisional drafts of such items to the full council for review and revision during quarterly stated meetings or ad hoc meetings as required. Final working group products require full council approval prior to issuance.

Article X – Critical Infrastructure Partnership Advisory Council Relationship

In the event the FSLC, including its working groups, meets with member representatives of Sector Coordinating Councils or the Critical Infrastructure Cross-Sector Council to engage in formulating consensus advice and recommendations, those meetings will be conducted in compliance with the Critical Infrastructure Partnership Advisory Council (CIPAC) Charter and applicable guidelines established by the CIPAC Designated Federal Officer.

Article XI – Duration and Amendments

The FSLC shall function on a continuing basis for the duration of two years from the signature date. This charter may be modified or amended at the discretion of the FSLC Chair with consensus of the member agencies. Any updates to the charter will require review and consensus by the FSLC members prior to enactment.



Jen Easterly
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U.S. Department of Homeland Security

Date: April 5, 2023

ANNEX A – List of FSLC Members

Sector Risk Management Agencies:

- Department of Agriculture – Office of Homeland Security
- Department of Defense – Office of the Assistant Secretary of Defense for Homeland Defense & Hemispheric Affairs
- Department of Education – Office of Elementary and Secondary Education
- Department of Energy – Office of Cybersecurity, Energy Security, and Emergency Response
- Department of Health and Human Services – ASPR and the Food and Drug Administration
- Department of Homeland Security – Cybersecurity and Infrastructure Security Agency
- Department of Homeland Security – Transportation Security Administration
- Department of Homeland Security – Federal Protective Service
- Department of Homeland Security – U.S. Coast Guard
- Department of the Interior
- Department of Transportation – Office of Intelligence, Security, and Emergency Response
- Department of the Treasury – Office of Cybersecurity and Critical Infrastructure Protection
- Environmental Protection Agency – Office of Water
- General Services Administration – Office of Mission Assurance, Office of Emergency Management

Other Departments and Agencies:

- Department of Commerce – Bureau of Industry and Security
- Department of Commerce – National Institute of Standards and Technology
- Department of Commerce – National Oceanic and Atmospheric Administration
- Department of Commerce – National Telecommunications and Information Administration
- Department of Homeland Security – Federal Emergency Management Agency
- Department of Homeland Security – Office of Strategy, Policy, and Plans
- Department of Homeland Security – Science and Technology Directorate
- Department of Housing and Urban Development
- Department of Justice – Federal Bureau of Investigation
- Department of State – Bureau of Counterterrorism
- Federal Communications Commission – Public Safety and Homeland Security Bureau
- National Aeronautics and Space Administration
- Nuclear Regulatory Commission – Office of Nuclear Security and Incident Response
- Federal Energy Regulatory Commission
- Office of the Director of National Intelligence – State, Local, Tribal, and Territorial Partnerships
- U.S. Election Assistance Commission

Annex B – Council Operations

Responsibility	Task	Activity
Coordinate SRMA and non-SRMA responsibilities ⁱ	Support sector risk management	Support the development of the National Risk Register and updates
		Review and revise the National Critical Functions list and associated products
		Identify both cross-sector and individual sector risk management priorities and requirements.
		Develop and implement security and risk mitigation actions through the national partnership.
	Assess sector risk	Develop, in coordination with all other SRMAs, a shared process and template for sector risk assessment
		Share annual sector risk assessments
		Assist in the identification of systemically important entities
	Improve cross-sector situational awareness	Report, as Chair of Sector GCC, on sector coordination activities
		Support Cybersecurity Baseline Performance Goals/Cross Sector Cybersecurity Goals
	Share information	Share information and intelligence through FSLC
		Identify, in coordination with Office of the Director of National Intelligence (ODNI), sector-specific intelligence requirements
		Develop, in coordination with the Chair, processes and procedures for delivering critical infrastructure information annually to support the National Asset Database
		Deliver to the Chair, annually, sector specific critical infrastructure information compliant with the Infrastructure Data Taxonomy

Responsibility	Task	Activity
		Alert SRMAs to emerging incidents, threats, and strategic vulnerabilities and risk
		Coordinate with Information Sharing and Analysis Centers and Information Sharing and Analysis Organizations connected to a specific sector—managing relationships and processes, participating in analysis, and distributing and sharing finished products as appropriate
	Support incident management and emergency preparedness	Develop sector incident management and preparedness plans and doctrine, linking the National Preparedness System to the National Infrastructure Protection Plan through Emergency Support Function (ESF) 14
		Clarify SRMA cyber roles and responsibilities pursuant to PPD-41 and the National Cyber Incident Response Plan
Review and revise the National Framework for Securing Critical Infrastructure	Review and revise the National Framework and the National Plan	Update the National Plan (no less than every 5 years) in coordination with FSLC members
		Monitor implementation of the National Plan within respective sectors
	Review and recommend changes to critical infrastructure sectors and subsectors of such sectors	Review, propose, and consult with the Chair on any changes to the sector structure, including adding, subtracting, or modifying existing sectors or subsectors. Coordinate recommendations with FSLC members. Deliver any such recommendations to the President via the Chair.
	Review and recommend changes to Sector Risk Management Agency (SRMA) designations	Review, propose, and consult with the Chair on any changes to SRMA designations. ⁴ Coordinate recommendations with FSLC members. Deliver any such recommendations to the President via the Chair
Develop shared SRMA operational requirements, processes, and doctrines	Develop SRMA baseline operational standards and budget requirements	Develop SRMA baseline budget guidelines in coordination with the Office of Management and Budget (OMB) and FSLC members.
		Develop SRMA manual in coordination with FSLC members

ⁱ In accordance with 6 U.S.C. § 665d