

## **Dams Sector Government Coordinating Council Charter**

### **Article I – Official Designation**

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

### **Article II – Mission and Purpose**

The GCC enables interagency, intergovernmental, and cross-jurisdictional coordination with the Dams Sector and other sectors identified in Presidential Policy Directive/PPD-21 on “Critical Infrastructure Security and Resilience.” The GCC is composed of representatives from across various levels of government as appropriate to depict the operating landscape of the Dams Sector.

### **Article III – Objectives and Scope of Activity**

The GCC coordinates strategies, activities, and communications across governmental entities within the Dams Sector, and also reaches out across the national partnership structure defined in the current National Infrastructure Protection Plan (NIPP) and other policy documents in coordination with and in support of the Sector Coordinating Council (SCC). The scope of activity of the GCC includes, but is not limited to:

- Promote interagency strategic communications at the sector level through partnership with DHS and other supporting agencies across various levels of government;
- Participate in planning efforts related to any revisions of the NIPP and the development and revision of Sector-Specific Plans (SSP);
- Coordinate strategic communications, discussion and resolution of issues among government entities within the sector;
- Promote adoption and implementation of physical and cyber risk management processes, best practices and use of innovative methods across the sector;
- Enhance government information sharing across the sector and promote multichannel public-private information sharing and situational awareness;
- Identify and support the information sharing capabilities and mechanisms that are most appropriate for state, local, tribal, and territorial (SLTT) entities;
- Coordinate with and support the efforts of the SCC to plan, implement, and execute the Nation’s critical infrastructure security and resilience mission;
- Coordinate with the SCC to set joint priorities, identify risks, and report on progress made toward achieving Dams Sector risk management goals;
- Coordinate with the SCC to develop processes for prioritizing and characterizing risk and incident management requirements;
- Coordinate with the SCC to identify knowledge gaps that warrant Research and Development efforts.

## Article IV – Membership and Member Representatives

### Membership

In keeping with the principle of diverse representation of the Dams Sector, the organizational membership within the GCC is defined as follows:

- Membership - GCC membership is composed of government agencies that own, operate or regulate sector assets or have responsibility for security and protection of those assets. Permanent membership resides with the agency rather than the voting and non-voting agency members. Each member agency shall have a primary and an alternate representative to the GCC. Primary agency representatives named to the GCC are director/manager level, or equivalent.
  - Voting Members
    - U.S. Department of Agriculture, Natural Resources Conservation Service
    - U.S. Department of Defense, U.S. Army Corps of Engineers
    - U.S. Department of Homeland Security, Office of Infrastructure Protection
    - U.S. Department of the Interior, Bureau of Reclamation
    - U.S. Department of State, International Boundary and Water Commission
    - Federal Energy Regulatory Commission
    - U.S. Department of Labor, Mine Safety and Health Administration
    - Tennessee Valley Authority, and
    - Nine (9) State Entities
      - Eight (8) State Dam Safety Offices:
        - Arkansas
        - California
        - Iowa
        - New Hampshire
        - New Jersey
        - North Carolina
        - Pennsylvania
        - Vacancy- TBD
      - Lower Colorado River Authority
- Ad-Hoc Members - the GCC may also include individuals that serve as designated liaisons from other Department of Homeland Security components and directorates, other sector and cross-sector GCCs, other government agencies, and international governmental entities that are invited to participate in GCC meetings and activities as ad-hoc, non-voting members to provide relevant institutional knowledge and technical expertise.
  - Bonneville Power Administration
  - Other Department of the Interior Bureaus
  - U.S. Environmental Protection Agency
  - U.S. Department of Homeland Security, Federal Emergency Management Agency
  - National Weather Service
  - U.S. Coast Guard
  - U.S. Department of Energy, and
  - One (1) State, Local, Tribal, Territorial GCC member

- GCC leadership rests with the primary and alternate representatives from the DHS/Infrastructure Protection (IP)/Sector Outreach and Programs Division (SOPD). The Assistant Secretary for Infrastructure Protection (ASIP) or his/her designee chairs the Dams GCC. At present, the ASIP has designated the Director of SOPD as the representative on behalf of DHS/IP. The Director of the SOPD will designate an alternate to assist him/her and/or act on his/her behalf as necessary. The GCC leadership will collect information from other members and introduce the information to the Council for consideration and deliberation. The GCC leadership will monitor and assure that initiatives or issues are brought to closure.

### **Member Representatives**

Each agency representative of the GCC may appoint one alternate representative or point of contact (POC) to represent the member at GCC activities. The procedures for appointment or selection of these representatives or POCs are as follows.

- There are 17 voting agency representatives of the GCC; one voting representative for each of the eight (8) Federal agencies and the nine (9) States entities. An alternate member representative casts the member's vote in the absence of the primary representative.
- Each agency representative of the GCC is responsible for obtaining and maintaining, for its representatives, the appropriate security clearance required for discussing and sharing unclassified and classified information. This information will be protected and handled in accordance with the originating agency's guidelines and requirements for information security. DHS will manage the security clearance process for the representatives from member States.

During meetings of the GCC at which consensus agreement or votes are required, the designated representatives or POCs may deliberate or vote in accordance with these guidelines:

- Representatives/POCs can vote on issues during meetings that may be by affirmed vote, which consist of the quorum plus one, of the voting members. A quorum for decision-making is defined as consisting of primary or designated alternate representatives from four Federal agency GCC members and five State agency GCC members, or their designated alternates.

## **Article V – Governance and Officers**

### **Governance**

GCC members will make decisions through a consultative and collaborative process, encourage the exchange of information and points of view, and strive for consensus. When there is dissention, the GCC Chair may move forward and take action, to fulfill the obligations of the Council. GCC members will strive to meet timelines and deliverables even when there is less than full agreement.

The GCC recognizes that each member is a government entity or organization with inherent legal authorities and parameters within which it must operate. At times, these authorities may restrict a member's ability to provide agreement on a decision or preclude the dissemination of

information to certain members due to classification restrictions and/or security clearances of Member Representatives. These inherent legal authorities must be clearly articulated and understood by the GCC when they are the basis for dissent and the inability to enter into consensus.

Each GCC member shall strive to faithfully represent the position of their individual government agencies; however, the GCC recognizes that Member Representatives may lack legal authority to act on behalf of its agency. Therefore, the actions of the GCC or of individual members may not be binding on a government agency.

### **Officers**

As defined in the NIPP, each GCC is chaired by a representative from the designated Sector-Specific Agency (SSA) with responsibility for ensuring appropriate representation on the council and providing cross-sector coordination with SLTT governments. The Assistant Secretary for Infrastructure Protection or his/her designee chairs the Dams GCC. The leadership body will facilitate the decision-making process to improve preparedness of the sector using standard business practices. They will work in consultation with Council membership to reach consensus on Council business and through this process identify the means by which each decision will be communicated to appropriate government or private sector entities.

It is the responsibility of the Chairperson to ensure that secretariat support for GCC meetings are provided to the Council in the following areas:

- Agenda development;
- Monitoring and closure of issues and initiatives;
- Administrative and meeting support, including logistics and meeting minutes;
- Communications;
- Member and records management; and
- Maintenance of Council governance documents.
- When the GCC and SCC meets as the Critical Infrastructure Partnership Advisory Council (CIPAC), the Chairperson will coordinate with the leadership of the SCC and the CIPAC Executive Secretariat/Designated Federal Officer to ensure adequate secretariat support is provided to ensure compliance to CIPAC.

### **Article VI – Meetings**

The GCC will meet at least twice a year with the capability to meet as often as quarterly in Washington, DC and/or in an alternative location as determined in consultation with the Council Members, with additional scheduled meetings and/or conference calls as needed. GCC meetings will be held either in person, by teleconference, and/or virtually.

Council meeting procedures will follow Robert’s Rule of Order. GCC members will make decisions through a consultative process, encouraging the exchange of information and points of view, and will strive for consensus.

### Principles of Participation

- All members must be working towards the same goals and purpose of improving the safety, security, preparedness, resilience, recovery, and reconstitution of Dams Sector assets.
- All members need to participate in order to achieve the Council's objective.
- Discussion and deliberation processes must recognize and capitalize on each member's strengths, skills, and perspective.
- Results of GCC discussions and deliberations must constitute a coherent voice made up of each member's contributions.
- Discussions shall be honest and forthright.

### Member Resignation or Removal

Members who elect to resign from the Council should do so in writing to the Chair, courtesy copying chairs for any work groups in which they participate.

If a member no longer meets the membership criteria of the Council, he or she will no longer be eligible for membership and shall be removed upon such ineligibility. Upon determination by the Chair that the member no longer meets the membership criteria, the Chair will remove the individual from membership lists and will initiate the process to replace the individual from the vetted candidate list. Incoming members should be chosen by each member agency to ensure fair and balanced subject matter expertise, geographic, and/or jurisdictional representation.

### Inactive Member Determination

Any member who is considered inactive shall have his/her membership moved to Ad-Hoc status. A member shall be considered inactive if the member:

1. Has unexcused absences for three consecutive Council meetings and does not send a designee in their place. Attendance can be face-to-face or telephonic; or
2. Does not provide work products within agreed upon timeframes on three occasions.

The Chair will notify the member via letter that membership has been revoked, listing the reason(s) for the revocation. If the member explains his or her inactivity, or petitions the Chair to be reinstated as a member within a reasonable period of time, then the Chair may consider reinstating his or her membership. The Council Chair may excuse a member from meeting Council obligations upon the member's request and notification to the Chair in advance the reason for the member's absence.

### Article VII – Recordkeeping

The procedures for the handling, storage and disposition of GCC records and other documentation are in accordance with Federal Records Management policy, as well as directives and guidelines for the Dams SSA.

## **Article VIII – Communications**

The Dams SSA will ensure a communication mechanism exists for sharing information among GCC membership, and will share information with appropriate counterparts and leadership of the SCC.

## **Article IX – Working Groups and Special Committees**

Working Groups are established when substantial investigation, research, or other tasks are required which cannot be practicably achieved at regular GCC sessions. All products of the Working Groups are meant to advise Council Members on various issues and processes. Through its primary or alternate representatives, each member agency may designate individuals to serve on special committees or act as working group chairs or co-chairs.

The GCC establishes workgroups that:

- Consist of personnel selected by the GCC based on the issue under study and its scope.
- Have a specific and clearly defined mission and scope, time limits, and deliverable(s).
- Select a working group chair charged with ensuring that the working group achieves its mission and stays within scope.
- Are subordinate to the GCC and report their activities to the GCC.

When the GCC and SCC form joint working groups, the GCC Working Group Chair will work in close coordination with the corresponding SCC Working Group Chair. Joint GCC/SCC working groups may be conducted under CIPAC when established in compliance with CIPAC requirements through the CIPAC Executive Secretariat.

## **Article X – CIPAC Membership and Representation**

### **Role of the Critical Infrastructure Partnership Advisory Council (CIPAC) in Sector Partnership**

CIPAC will be used as the need arises. As explained in the current CIPAC Charter, 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 by PPD-21 and identified in the current NIPP. When participating in CIPAC activities, the Council 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.

The GCC, in coordination with the SCC, participates in CIPAC activities as appropriate. For example:

- Cybersecurity
  - Promote the Critical Infrastructure Cyber Community (C3) Voluntary Program to encourage adoption of the Cybersecurity Framework.

- Develop and deploy sector-specific guidelines and educational materials and products supporting the implementation of the Cybersecurity Framework.
- Identify and consolidate best practices supporting integrated physical-cyber risk management approaches.
- Incident Management
  - Promote the incorporation of post-incident lessons learned into training and education programs, to improve future security and resilience efforts.
- Information Sharing
  - Promote and sustain effective processes and mechanisms to disseminate relevant and actionable information to sector stakeholders, including sector-specific threat briefings.
  - Promote sector-specific and cross-sector suspicious activity reporting tools, resources, and programs.
- Partnership / Engagement
  - Increase awareness of the sector partnership framework and its strategic value for coordination of critical infrastructure security and resilience issues by promoting sector-specific and cross-sector awareness of relevant programs, activities, and resources.
- Resilience
  - Promote security and resilience by creating strategic guidance, coordinating sector-level efforts, and establishing and sustaining collaboration and coordination processes with other sectors for joint development and implementation of activities, products, and programs.
  - Consolidate and facilitate access to critical infrastructure security and resilience best practices, technical products, and risk management approaches across the sector.

### **CIPAC Member and CIPAC Member Representative**

CIPAC membership is defined in the CIPAC Charter. The GCC/SCC agency representatives shall automatically be a CIPAC Member upon notification from the Council Chairperson to the CIPAC DFO via [CIPAC@hq.dhs.gov](mailto: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 Designated Federal Officer by the Council Chairperson via [CIPAC@hq.dhs.gov](mailto:CIPAC@hq.dhs.gov).

The procedures for selecting Member Representatives within the GCC are as follows:

- Upon determination by the GCC that there is a need to recruit a member the Chair will initiate the process to replace an individual from a vetted candidate list. Incoming members should be chosen to ensure fair and balanced subject matter expertise, geographic, and jurisdictional representation.

### **Federally Registered Lobbyists**

The policy for federally registered lobbyists is detailed in the current CIPAC charter which applies to CIPAC Member Representatives and subject matter experts participating in CIPAC activities.

### **Article XI – Amendments**

The GCC may at any time amend this Charter by a vote of a quorum plus one of the voting members. The amended Charter shall be forwarded in a timely manner to the CIPAC Executive Secretariat for posting on the CIPAC public Website.

### **Article XII – Bylaws**

The GCC may at any time adopt Bylaws by a vote of the quorum plus one of the memberships. Bylaws will be considered as an amendment to the Charter and must be attached to the Charter as an annex.

### **Article XIII – Duration**

This Charter shall be in effect for five (5) years from the date of signing. If amended, the Charter shall be in effect from remainder of the initial five year period after the amendment is approved.

### **Article XIV – Approval**

The GCC approved this Charter on June 7, 2017 according to Council procedures, as attested to by the following signature authorities; thereby, finalizing the charter in December 2017 (signatory pages attached).



**List of Dams GCC Signatories as of December 2017:**

**Noller Herbert**

U.S. Department of Agriculture, Natural Resources Conservation Service

**Charles R. Alexander**

U.S. Department of Defense, U.S. Army Corps of Engineers

**Linda Solheim**

U.S. Department of Homeland Security, Office of Infrastructure Protection

**Bruce Muller**

U.S. Department of the Interior, Bureau of Reclamation

**Stanley Michalek**

U.S. Department of Labor, Mine Safety and Health Administration

**Carlos Pena**

U.S. Department of State, International Boundary and Water Commission

**David Capka**

Federal Energy Regulatory Commission

**Todd Peney**

Tennessee Valley Authority

**Jason Hoffman**

Lower Colorado River Authority

**Edward Swaim**

State of Arkansas, Natural Resources Commission

**Sharon Tapia**

State of California, Department of Water Resources

**Jonathan Garton**

State of Iowa, Department of Natural Resources

**Jim Gallagher**

State of New Hampshire, Department of Environmental Services

**John Moyle**

State of New Jersey, Department of Environmental Protection

**William Vinson**

State of North Carolina, Department of Environmental and Natural Resources

**Roger Adams**

State of Pennsylvania, Department of Environmental Protection