

Maritime Modal Sector Coordinating Council Charter

Article I - Official Designation

This organization shall be known as the Maritime Modal Sector Coordinating Council (Maritime SCC).

Article II - Purpose and Mission of the Maritime SCC

The purpose of the Maritime SCC is to facilitate emergency preparedness and response coordination between representatives from critical infrastructure owners and operators in the domestic maritime sector and government representatives at the federal level. The Maritime SCC will establish a dialogue between senior industry representatives and Administration officials in order to carry out the role of the Sector Coordinating Council as established in the National Infrastructure Protection Plan: *Partnering for Critical Infrastructure Security and Resilience*, and other relevant authorities such as Presidential Policy Directive – 21, *Critical Infrastructure Security and Resilience* (PPD-21), the United States Department of Homeland Security Critical Infrastructure Partnership Advisory Council (CIPAC) Charter, or any subsequently dated issuances thereof.

The Maritime SCC is self-organized, self-run, and self-governed, and participation by members is voluntary. The Maritime SCC is not regulated by any federal agency, although the Maritime SCC operates consistent with the Department of Homeland Security (DHS), Cybersecurity and Infrastructure Security Agency's (CISA) work to engage Sector Risk Management Agencies (SRMAs) and critical infrastructure sector partners through the CIPAC partnership structure. The Maritime SCC will serve as the principal liaison with CISA, its assigned SRMA, the Maritime Modal Government Coordinating Council (Maritime GCC), and its member federal agencies on issues pertaining to joint planning, preparedness, resilience, incident response, and recovery related to events of national significance that may affect the domestic delivery of resources through maritime means. The Maritime SCC will be in supplement to other efforts of individual members and non-members related to these issues.

Article III - Primary Objectives of the Maritime SCC

The objective of the Maritime SCC is to serve as a liaison for the domestic maritime industry with government and to coordinate strategies, activities, policy, and communications between the government and private industry in support of emergency preparedness and response activities.

Specifically, the Maritime SCC will:

1. Coordinate with the Maritime GCC, federal agencies and other Sector Coordinating Councils;
2. Work with the federal government to improve the flow of information before and during national emergency events;
3. Collaborate with the federal government on coordinated government-industry preparedness and response planning for national emergencies.

Article IV - Membership and Governance Structure

Membership:

The Maritime SCC consists of CEO-level representatives of organizations (i.e., owners and/or operators and/or trade or equivalent associations) with a primary business focus in, and control over, aspects of the critical infrastructure of the U.S. domestic maritime industry. The Maritime SCC will strive to ensure that all major segments of the domestic maritime sector's critical infrastructure are represented as part of the Maritime SCC and that diverse professional and technical expertise and perspectives are represented, with a particular focus on geographical diversity. The current membership roster is an Appendix to this Charter. This roster will be reviewed and updated at least annually to ensure accuracy and currency.

The Maritime SCC will be composed of voting and non-voting members. Voting members must be employees of owners and/or operators of the domestic maritime industry or employees of member associations. Non-voting members can include, but are not limited to, employees of associations that voting members belong to, but that are not members themselves.

There are no limits on the term that either a voting or a non-voting member of the Maritime SCC may serve. Both prospective voting and non-voting members shall submit a request for membership to the Maritime SCC via the Implementation Committee. The request will be placed on the agenda of the next meeting of the Maritime SCC and a majority of the existing voting members, acting in a meeting where there is a quorum (see Meeting section below), must approve the new voting or non-voting member.

If the representative of a voting or non-voting member organization can no longer serve, the organization can designate a new representative. If a member organization leaves the Maritime SCC, the remaining members of the Maritime SCC may invite another owner and/or operator and/or association to join based on geographical and business sector diversity.

Possession of a security clearance is not a condition of membership on the Maritime SCC.¹

The Maritime SCC will function as a body representing the views of the owners and operators of the nation's domestic maritime infrastructure. To the extent views among members vary, members may express divergent concerns and perspectives.

The Maritime SCC will also endeavor to identify and invite subject matter experts (SMEs), as needed, who are not affiliated with a member organization, as outlined in the CIPAC 2022 Charter. SMEs shall be used solely to provide technical or industry specific information for the purposes of informing the recommendations of the Maritime SCC or an affiliated workgroup, in order for members to reach consensus on a particular critical infrastructure issue. SMEs are not CIPAC members and may not participate in the deliberative process or in the development of consensus advice.

¹ While members do not need to possess a security clearance, they should be able to qualify for a security clearance and have the following eligibility requirements: U.S. citizen, not a full-time employee of a U.S. governmental entity, and not registered with the Department of Justice under the Foreign Agents Registration Act.

Maritime SCC members shall annually attend a briefing to receive training provided by CISA on the ethics and integrity standards and information sharing requirements applicable to CIPAC. Maritime SCC members shall make known to the CIPAC Designated Federal Officer and shall recuse themselves from CIPAC activity when involvement in such a matter would cause a reasonable person to perceive a potential conflict of interest.

Officers:

The Maritime SCC shall be led by a Chair and a Vice Chair.

The Chair and the Vice Chair will represent different segments of the domestic maritime industry. They shall rely upon the staff of voting and non-voting members of the Maritime SCC to support the activities of the Maritime SCC. The terms for Chair and Vice Chair shall be for two years commencing on the first day following designation as an officer by a majority vote of the Maritime SCC members. The Chair and the Vice Chair may serve successive terms.

The Chair, if present, shall preside over all meetings of the members. The Vice Chair shall act as Chair in the absence of the Chair.

Implementation Committee:

The Maritime SCC will have an Implementation Committee made up of representatives from voting or non-voting member organizations. The Implementation Committee will conduct follow up from the designated meetings and perform administrative functions as needed.

A representative from the Implementation Committee shall perform administrative functions as directed by the membership, including scheduling of meetings or conference calls as required to conduct the business of the Maritime SCC and as requested by the government; preparation and distribution of meeting notices, agendas, and minutes; and the maintenance of Maritime SCC records. The Implementation Committee may coordinate with relevant entities as necessary to perform these functions, including forming workgroups populated by Maritime SCC members, their employees, SMEs, and other maritime sub-sector representatives consistent with the Maritime SCC's direction.

Meetings:

The Maritime SCC will meet in conjunction with the Maritime GCC at least once a year. Members of the Maritime SCC itself may meet as often as desired, either by phone or in person. Notification of Maritime SCC meetings will be transmitted to members, in writing (electronic transmittal is acceptable), ten (10) or more business days in advance if possible. When consultations with the Federal Government require a consensus opinion from the Maritime SCC or an affiliated workgroup, meetings will take place in accordance with CIPAC requirements. Maritime SCC members acknowledge that Maritime SCC members can only use CIPAC and CIPAC resources to advance the intended objectives of CIPAC. Use of CIPAC or CIPAC resources for a CIPAC participant's personal benefit or the benefit of any other person or entity is prohibited.

At any meeting of the voting members, the presence of one-third of the voting members shall constitute a quorum needed to take action. The Maritime SCC will make decisions using a consensus process. Consensus is defined as a decision or action all voting members can support or choose not to oppose. In cases where consensus is not achieved then majority (i.e., 50% plus one of the voting members) will rule and minority positions may be articulated. Each member will have one vote.

Article V - Approval and Amendment of the Charter

The current membership of the Maritime SCC approves this charter. This document may be amended upon two-thirds majority vote of the members of the Maritime SCC present at a meeting where a quorum is present. The charter shall be reviewed and reapproved or amended at least every five years.

Dated April 8, 2024