



**U.S. Healthcare and Public Health  
Sector Coordinating Council**

# Comprehensive Council Charter

**Version 3.0**

# Contents

- 1. Introduction .....3**
  - 1.1 Charter Purpose ..... 3
  - 1.2 Council Mission ..... 3
  - 1.3 Background and Core Functions ..... 3
  - 1.4 Membership Requirements ..... 4
  - 1.5 SCC Strategic Partnership Function ..... 4
- 2. Functional Areas ..... 7**
  - 2.1 Membership ..... 7
  - 2.2 Healthcare Functional Areas and Subsectors ..... 7
  - 2.3 Roles and Responsibilities ..... 8
  - 2.4 Operating Procedures ..... 8
- 3. Executive Committee ..... 9**
  - 3.1 Membership ..... 9
  - 3.2 Roles and Responsibilities ..... 10
  - 3.3 Operating Procedures ..... 11
- 4. Past Officers Council ..... 12**
  - 4.1 Membership ..... 12
  - 4.2 Roles and Responsibilities ..... 13
- 5. Standing Working Groups ..... 13**
  - 5.1 Membership ..... 13
  - 5.2 Roles and Responsibilities ..... 13
  - 5.3 Operating Procedures ..... 13
- 6. Task Groups ..... 14**
  - 6.1 Membership ..... 14
  - 6.2 Roles and Responsibilities ..... 14
  - 6.3 Operating Procedures ..... 14
- 7. Ad Hoc Committee ..... 14**
  - 7.1 Membership ..... 14
  - 7.2 Roles and Responsibilities ..... 15
  - 7.3 Operating Procedures ..... 15
- 8. Joint Collaborations ..... 15**
  - 8.1 Joint Council Leadership Coordination Meeting (JCLCM) ..... 15
  - 8.2 Joint Sector Senior Advisory Council (JSSAC) ..... 15
  - 8.3 Ad Hoc Joint Advisory Group (AHJAG) ..... 16
- 9. End of Membership ..... 16**
- Appendix ..... 18**
  - Appendix A: Glossary Of Acronyms ..... 19
  - Appendix B: SCC Brand Guidelines ..... 20
  - Appendix C: HPHSCC Ethics Guidelines ..... 23

# 1. Introduction

## 1.1 CHARTER PURPOSE

The Healthcare and Public Health (HPH) Sector Coordinating Council (HPHSCC or SCC) Charter serves as a governance document that outlines the Council's:

- Organizing Principles;
- Organizational Structure;
- Core Functions;
- General Operating Guidelines;
- Brand Guidelines; and,
- CIPAC Ethics Guidelines.

## 1.2 COUNCIL MISSION

The nation depends on the continuity and availability of its healthcare system, especially during disasters and emergencies. Every region in the United States (U.S.) is subject to various natural, man-made (unintentional or intentional), and technological threats and events that may directly or indirectly disrupt the integrity of healthcare operations. If there is destruction or degradation to the infrastructure of the nation's healthcare and public health delivery systems or networks, our nation's communities will be impacted and could disrupt the ability to provide essential services. By protecting our nation's HPH infrastructure through coordinated efforts, we can better ensure that vital HPH services are available when adverse events occur, or disaster strikes.

## 1.3 BACKGROUND AND CORE FUNCTIONS

The HPHSCC (hereby referred to solely as the SCC) was established to serve as the *Sector Coordinator* as defined in the Homeland Security [Presidential Directive 7](#) (2003) and modified in the [Presidential Policy Directive 21](#) (2013) by the Secretary of the Department of Health and Human Services (HHS) and the Department of Homeland Security (DHS). Per the Critical Infrastructure Partnership Advisory Council (CIPAC) Charter, the SCC is designated by DHS to serve as the private sector counterpart and partner to the HPH Government Coordinating Council (HPHGCC or GCC; hereby referred to solely as the GCC).

SCC Core Functions include but are not limited to working with private and public partners to:

- Develop guides and checklists that prepare Sector members to recover from a critical incident or event;
- Implement the [National Infrastructure Protection Plan](#) (2013) Sector Partnership and Risk Management Framework, and the National Health Security Strategy;
- Develop plans and safety programs to protect against, anticipate, and lessen the impacts of all potential hazards;
- Provide guidance on HPH critical infrastructure protection;
- Communicate the needs of the HPH Sector with government entities and private sector partners;
- Evaluate the Sector's performance in meeting its protection and safety goals;
- Encourage information sharing among all Sector partners; Submit Sector recommendations and reports to DHS;
- Assist with the essential activities of the nation's healthcare delivery system, help prepare for and respond effectively to significant emergencies;
- Advise on federal policy initiatives and prepare the Sector for meeting compliance with up-and-coming legislation;
- Act as trusted advisors to the Office of the Secretary for DHS and their designated Sector Risk Management Agency (SRMA) on matters of HPH readiness and response to actual and perceived threats to our nation's health security,

independently or in collaboration with GCC partners; and,

- Serve SCC membership and the HPH community as a coordinating group during times of regional, national, and global HPH crises, independently or in collaboration with GCC partners. The SCC Executive Committee will collaborate with independent or organized groups of Subject Matter Experts (SMEs) to best inform and lead the SCC.

## 1.4 MEMBERSHIP REQUIREMENTS

Any domestic U.S. entity, for-profit or non-profit, whose professional, business, or operational activity supports the nation's health security, and the core national healthcare system is eligible for SCC membership. This includes but is not limited to: owners and operators of facilities, organizations, product manufacturers, distributors, professional associations, professional societies, academia, and agencies or organizations with SMEs that contribute to the mission of the Sector. Self-employed practitioners may participate in the SCC, but are not considered voting members (i.e., practitioners must be able to represent an organization to be full voting members of the SCC).

Membership requires a level of participation; however, participation is broadly defined to be as inclusive as possible. Formal involvement in the SCC governing bodies and working groups is encouraged, but not required. Additional membership venues for participation in SCC efforts include:

- Contributing to and/or utilizing one or more products and services offered by the SCC, such as online tools, safety guides, secure channels, priority alerts, and conference calls;
- Responding to SCC inquiries and requests for information;
- Voting on Sector matters;
- Communicating questions and concerns to SCC leadership; and,
- Discussing critical infrastructure challenges and SCC efforts with broad audiences.

## 1.5 SCC STRATEGIC PARTNERSHIP FUNCTION

As designated by the CIPAC Charter, the strategic function of the SCC (see Figure 1) is to serve as a partnership organization interfacing between the private and public sector it represents, including primarily its membership, the GCC, HHS, DHS, response agencies, and other federal, state and local entities. The SCC's partnership function has essential dependencies on the continuity of other critical infrastructure providers, represented by other SCCs. Therefore, the SCC actively engages in partnerships with other SRMAs and SCCs to prepare for and respond to the healthcare needs of the nation.

In addition to coordinating, managing, and maintaining collaboration between the private and public sector, the SCC is tasked for leveraging these relationships to coordinate and direct activities of individual owners and operators as well as collective actions. By coordinating activities, the SCC works to identify, prioritize, organize, and carry out for the Sector with the goal of safeguarding the U.S. healthcare system.

The SCC works to achieve its mission through communication, coordination, and collaboration by enhancing the bi-directional flow of information, guidance, and expertise within the private sector (see Figure 1), and with government leadership.

### 1.5.1 Information and Guidance

The SCC facilitates the communication of relevant and timely information and guidance from public to private sector stakeholders. Within the scope of the partnership function, the SCC is expected to:

- Assist in the creation of tools and mechanisms that:
  - Satisfy the communication and information needs of Sector members;
  - Enhance the mitigation, preparedness, response, and recovery abilities of Sector members; and,
  - Provide support and advice to Sector owners and operators;

- Identify and share best practices and standards which reduce risks, prepare for emergencies and response, and protect vital systems and infrastructure.

### 1.5.2 Influence and Expertise

The SCC facilitates the communication and coordination of its defined Functional Area expertise to the government, and ensures that private sector interests, concerns, and needs are adequately represented. The SCC Executive Committee regulates and oversees internal processes to ensure appropriate and accurate coordination and crafting of deliverables. Within the scope of its partnership function, the SCC is expected to:

- Ensure up-to-date assessment and prioritization of the Sector's diverse infrastructure protection needs (including training, and research and development needs), issues, and concerns.
- Provide a mechanism to ensure that specialized knowledge and expertise of Sector members is available as a resource for public sector planning and policy.
- Integrate the Sector's diverse interests and perspectives into a collective voice and coordinated action to:
  - Address the Sector's infrastructure protection concerns and ensure effective representation of diverse components, organizations, and interest groups within the healthcare system;
  - Communicate the Sector needs to the appropriate government agencies; and,
  - Coordinate to improve U.S. government policies, plans, and activities regarding infrastructure protection.

### 1.5.3 SCC Organizational Structure

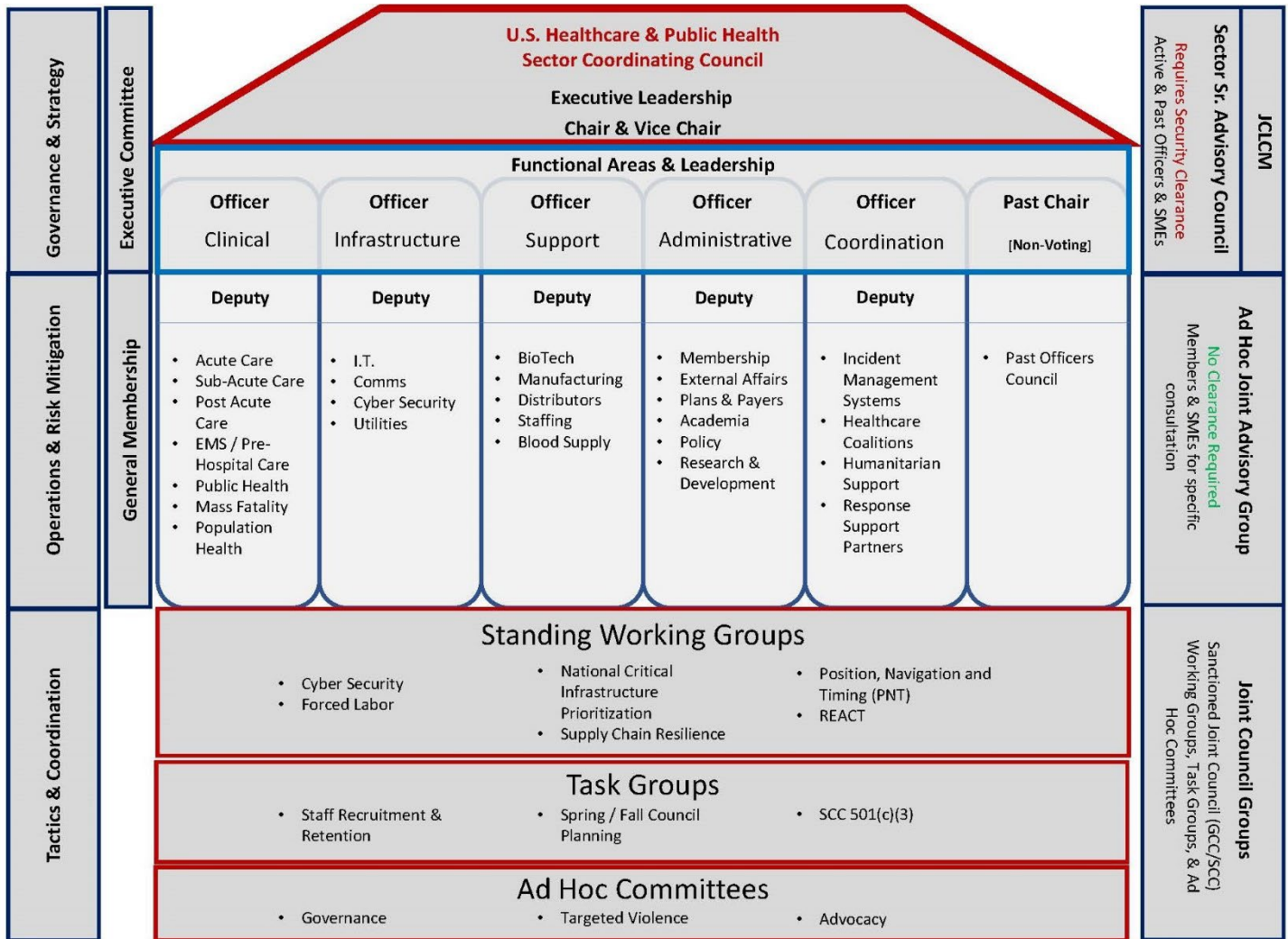
The organizational structure and operating bodies of the SCC are depicted in Figure 1. This structure combines a non-siloed collaborative model where the leadership and membership are grouped according to Sector's preparedness and response functions. The result is a unified organization that effectively represents the full range, complexity, depth, and interconnectedness of the U.S. healthcare system through its representatives.

The SCC operating bodies consist of the following:

- *Executive Leadership*: Comprised of the Chair and Vice Chair;
- *Executive Committee*: Includes the Chair, Vice Chair, and Deputies;
- *Functional Areas* that represent the primary functions of healthcare, and are overseen by their designated Functional Area Officer, and led by their Deputy; and,
- *Working Groups*: They are categorized into three types - *Standing Working Groups*, *Task Groups*, and *Ad Hoc Committees*.

Each of these bodies carries out activities of the SCC mission and fulfills the SCC strategic functions and goals.

Figure 1: SCC Organizational Structure and Strategic Functions



# 2. Functional Areas

## 2.1 MEMBERSHIP

The SCC membership body is divided into Functional Areas, each of which represents a significant operational aspect of the nation’s healthcare system. Section 2.2 lists the major sectors of the healthcare industry from which Functional Area membership is derived. The sub-categories that make up each Functional Area may expand or contract as the SCC continues to mature, and as the national healthcare system and its conditions change. Coordination across Functional Areas aims to enhance HPH Sector reliability.

Every SCC member will fall into one or more of its Functional Areas. However, the extent of a member’s participation in the Functional Areas can differ greatly. The SCC’s goal is to ensure that participation in Functional Area activities is as inclusive as possible. Ideally, the membership within each Functional Area should be diverse and representative of the Sector stakeholders, encompassing:

- A balanced representation of all regions of the country; and,
- Representatives from all key professional subsectors.

Participation by one entity in multiple Functional Areas is appropriate as long as it aligns with genuine business needs and practices.

Although the Functional Areas membership is voluntary, all members are asked to review and formally accept and uphold the SCC Branding Guidelines (see Appendix B) and Ethical Principles (see Appendix C).

## 2.2 HEALTHCARE FUNCTIONAL AREAS AND SUBSECTORS

### Clinical – Direct Patient Care Operations

- Acute Care
- Sub-Acute Care
- Post-Acute Care
- EMS/Pre-Hospital Care
- Mass Fatality
- Population Health
- Public Health

### Infrastructure – Essential Infrastructure Operations

- Information Technology
- Communications
- Cybersecurity
- Utilities

### Support – Operational Support Services or Organizations

- Manufacturing
- Distribution
- Biotechnology
- Blood Supply
- Staffing

### Administrative – Operational Administrative Areas or Organizations

- Membership
- External Affairs
- Plans & Payers
- Policy

- Academia
- Research & Development

#### Coordination – Operational Functions

- Incident Management Systems
- Healthcare Coalitions
- Humanitarian Support
- Response Support Partners

#### Past Officers Council – Historic Context and Leadership Expertise to Enhance Reliability of the Sector

- Past Officers Council

## 2.3 ROLES AND RESPONSIBILITIES

The Executive Committee guides the SCC in a fair and consistent organizational approach that is representative of the membership’s interests and collective decisions. Adhering to the Council Charter guidelines, the Functional Areas define specific roles aligned with their members’ interests. These roles are under the supervision of each Functional Area Officer and coordinated by their Deputies. Each Functional Area is required to submit reports to the Executive Committee no less than quarterly. These reports outline the planned activities for the annual leadership action plan and provide updates on their specific tasks and core area of interest.

### 2.3.1 Definitional Scope

Each Functional Area is responsible for defining its scope and core objectives of focus, as it fits within the defined Functional Area subsectors. The aim is for each Functional Area to encompass the entirety of its designated scope. Additionally, every Functional Areas is to have a sub-charter that receives approval from the Executive Committee.

### 2.3.2 Roles and Activities

Guided by the Executive Leadership and insights from membership, Functional Areas determine key priorities. Their focus is to effectively identify, and address issues raised by constituents. A Functional Area action plan is drafted annually to align with broader SCC’s and Sector goals. Functional Areas are led by an elected SCC Officer, someone who possesses expertise in that specific Sector function. This Officer is tasked with providing updates to the SCC Executive Committee and membership with the help of their Functional Area Deputy who more closely coordinates operation.

Roles Functional Areas adopt, showcasing various facets of the SCC partnership, include:

- **Center of (Functional Area) Expertise:** Acts source of expertise for the Sector to gather detailed insights, experience and knowledge from owners and operators and associations within a specific Functional Area.
- **Representative Body:** Serves as a platform for communicating private industry’s security interests and concerns to the Functional Areas Leadership Group, as well as to the GCC and other government entities.
- **Information Center:** Functions as a go-to source for private sector entities, contact information and updates on developments in government-led initiatives and legislation.
- **Affinity Group:** Provides a space for collaborative efforts, within and across Functional Areas and corresponding government entities with common interests.

The roles, functions, membership composition, and leadership of Functional Areas might evolve over time due to changing needs, such as national health security risks. For details on how to amend the list or redefine the roles of Functional Areas, refer to Section 3.2.3 (*Modifying the Charter*).

## 2.4 OPERATING PROCEDURES



Guided by Functional Area Officer and Deputy, Functional Area are free to establish their own procedures that align with standard practices in their specific healthcare segment. All procedures should promote equal member participation and fair decision-making processes.

### 2.4.1 Decision-Making Process

While under the supervision of the Executive Committee, each Functional Area has the autonomy to define its decision-making approach. Some general recommendations are provided below to ensure consistent values and assist groups seeking additional guidance:

- Decision-making should be impartial, reflecting the diverse interests and perspectives within a Functional Area and its represented sectors;
- If members cannot reach a consensus on an issue, they should strive to communicate the various perspectives in a meeting with Functional Area Leadership. If a resolution remains elusive, the Functional Area should escalate the matter to the Executive Committee, seeking their input to determine a suitable resolution.; and,
- All discussions and deliberations should be conducted respectfully, fostering an environment where a variety of opinions can be expressed, ensuring a just and equitable voting system.

### 2.4.2 Functional Area Leadership

Each Functional Area is overseen by an elected Officer of the Executive Committee and a corresponding elected Deputy. Each Functional Area Officer and Deputy is responsible for leading Functional Area meetings and/or representing the Functional Area in Working Groups, Task Groups, and Ad Hoc Committees.

Each Functional Area Deputy, under the oversight of their corresponding Functional Area Officer, is permitted to have term appointments of one year, with optional consecutive term extensions. Extended terms require majority approval of the Chair, Vice Chair, and voting Officers.

Additionally, if a Deputy's term is not extended, the Executive would elect a new Functional Area Deputy through majority vote. If there is a perceived concern with the occupying Functional Area Deputy, the membership can raise the conflict to the assigned Officer Executive Committee liaison and the Executive Committee shall address the concern.

### 2.4.3 Meeting Cycle

The frequency of Functional Area meetings is up to each Functional Area's discretion while maintaining a minimum of one meeting per calendar year quarter. Additionally, the Functional Area Officer must report to the Executive Committee and SCC no less than quarterly. In the absence of the Functional Area Officer, the Functional Area Deputy or a Functional Area representative may present the quarterly report and ad hoc briefings. The activity level may vary significantly among Functional Areas and change over time depending on what is happening in the Functional Area. In the case a Functional Area is inactive for two consecutive fiscal quarters, the Executive Committee may elect to assign it as "temporarily inactive" before sunsetting it or initiating a process for Functional Area Lead replacement.

Functional Area members are encouraged to attend the SCC and Bi-Annual HPH Partnership Meetings described in Section 3.3.3.

## 3. Executive Committee

### 3.1 MEMBERSHIP

The Executive Committee comprises eight (8) Officers selected from within the SCC Membership; a Chair and Vice-

Chair, known as the Executive Leadership, six (6) other Officers – five (5) voting, and one (1) non-voting, which is reserved for the Past Chair, and five (5) non-voting Deputies. Each of the five (5) Officers and Deputies represent a Functional Area: Clinical, Infrastructure, Support, Administrative, and Coordination. The Chair and Vice Chair positions have a term limit of two years. Executive Committee Officers have a term limit of three years. The Executive Committee Deputies have a term limit of one year with the option of extending their term to total up to three years. The Chair is not required to have previously held the position of Vice Chair, although it is common for the Vice Chair to become the Chair after their term is served. It is mandatory for the Chair or Vice-Chair positions be filled by an individual with a clinical background. The Officer for the Clinical Functional Area must also have a clinical background. Officers may return to serve on the Executive Committee after a minimum interlude of one year.

The Past Chair, a non-voting position, presides over the Past Officers Council, an advisory body comprised of Past Chairs and Officers who provide historic perspective and ensure continuity. Although the Chair and Vice-Chair hold the same authority as other Officers, they provide directorial leadership, facilitate the completion of SCC tasks, and act as the primary points of contact in the private and public sector partnership by working closely with GCC Leadership. Additionally, the Chair and Vice-Chair lead a bi-monthly meeting with Officers and the HPH Secretariat to manage a running list of SCC tasks, meetings, and program engagement activities.

The Past Chair will Chair a nominating committee for new Officers. The committee will have six (6) members appointed by the Past Chair in collaboration with the current Chair – three (3) from the current Officers and three (3) members from the membership. The Committee will vet all nominations based on experience and commitment to the SCC mission and charter. They will then present a slate of nominees to the voting members. Each member organization will have one vote.

The Executive Committee has the authority to invite additional members on a non-permanent, non-voting basis to provide expertise related to subjects or events that affect HPH critical infrastructure and national health security risks. The Chair and Vice-Chair are selected each October for a one-year term, beginning January 1st of the next calendar year. The Chair and Vice-Chair appointments approved by a majority vote of the Executive Committee. The appointed Chair will serve for a one-year term, succeeded by the Vice Chair, advancing to the Chair role. This sequence will continue unless special circumstances required the extension of the one-year term. A majority vote by the Executive Committee is required to extend the term of the Chair and vice-Chair positions. If the Vice Chair is unable to advance to the Chair position, the Executive Committee may vote to appoint an Officer as Chair. Six months prior to the transition of the Vice Chair, the Executive Committee will select the succeeding Vice Chair from the current cadre of Officers. The Officer selected to become Vice Chair should have two full years remaining in their term on the Executive Committee.

## 3.2 ROLES AND RESPONSIBILITIES

### 3.2.1 Definitional Scope

The Executive Committee is the leadership body of the SCC. It directs the SCCs strategic objectives and directly liaises with the GCC and other government agencies. The Executive Committee addresses cross-cutting issues with other sectors. The Executive Committee also organizes and provides guidance to standing Working Groups, Task Groups, and Ad Hoc Committees. The Executive Committee, while promoting inclusion and widespread representation, reserves the right to determine attendance and cadence of attendance of the HPH Secretariat as well as Working Group, Task Group, and Ad Hoc Committee Leadership at the JCLCM. The SCC Executive Committee reserves the right of pre-approval and approval of all SCC representation at official government events.

### 3.2.2 Roles and Activities

Executive Committee members preside at SCC meetings and function as facilitators and communicators. They also represent the SCC at Executive Committee approved non-SCC meetings and events. Other responsibilities of the Officers include:

- Serving as the primary, ongoing interface with federal government partners and the GCC to develop and maintain an active and effective partnership for securing the Sector;

- Establishing standing Working Groups and Task Groups, as deemed necessary, and appointing initial leads;
- Securing other secretariat and organizational support for the SCC;
- Making every effort to attend meetings and events where SCC representation has been requested and approved by the Executive Committee;
- Exercising their authority to vote on nominees for owners, operators, and/or associations for membership in the Critical Infrastructure Cross-Sector Council (CISC-SC);
- Selecting by vote, at their discretion, additional liaisons to represent the SCC at cross-sector councils such as the National Infrastructure Advisory Council (NIAC) and its study groups and other forums the SCC and Executive Committee determines to be worthy of participation. SCC liaisons shall use their best efforts to fulfill duties relating to the delegation and to communicate all relevant information acquired to the entire SCC;
- Recruiting new members, assisting in planning joint meetings, suggesting agenda items for the monthly Joint Councils Leadership Coordination Working Group (JCLCWG), preparing the preliminary and final agendas for the monthly SCC teleconference meetings, conducting the annual SCC performance assessment and future goal planning, conducting an annual membership survey to prepare the next Leadership Action Plan (LAP), and assisting with agenda planning for the Bi-Annual HPH Partnership Meetings; and,
- Acting as liaison to their assigned Functional Areas and Working Groups.

### 3.2.3 Modifying the Charter

The Executive Committee is responsible for overseeing modifications to the SCC Charter with collaboration and participation from the SCC membership. This ensures the Charters continued relevance and ability to meet the needs of the owners and operators of the nation’s healthcare system and to mitigate risks to national health security. The SCC Charter may be amended with the consensus of the Executive Committee. Prior to the approval of an amended Charter, a seven-day open comment period and at least one member review is required. All comments shall be submitted to the Secretariat for collection and distribution to the Executive Committee for consideration prior to approval. All comments and Executive Committee responses or actions shall be recorded by the Secretariat and made available to the membership upon request. If the Executive Committee determines it is appropriate to alter the list of Functional Areas (add, remove, or modify), Figure 2 in Section 2.1: “Healthcare Functional Areas” may be revised without amending the Charter, and communicated openly to the membership.

## 3.3 OPERATING PROCEDURES

At all times, Officers, Deputies, and SCC Members are expected to adhere to the SCC Brand Guidelines and Ethical Guidelines set forth in Appendixes B and C, respectively.

### 3.3.1 Executive Committee Decision Making Guidelines

The Executive Committee reserves the right to establish Executive Committee Decision Making Guidelines that will be agreed upon and adopted as an addendum in the Charter. The guidelines may include how to propose and adopt new business, vote to approve or deny motions, and record determined actions.

The Executive Committee is responsible for the creation and dissolution of all Working Groups, Task Groups and Ad Hoc Committees. Executive Committee oversight includes approving charters, approving for-cause officer and member terminations, and approving deliverables, including letters to Congress or other federal agencies. All Working Group, Task Group, and Ad Hoc Committee Leaders must provide written or oral reports to the Executive Committee quarterly.

### 3.3.2 Term Rotation Process

Once selected, Executive Committee Officers will serve for one three-year term. If an SCC Chair, Vice Chair, or Officer resigns or becomes otherwise unavailable during their term, the Executive Committee shall appoint a new Officer from within the current and active SCC membership. In the event the occupying Chair resigns

midterm, the Vice Chair will advance to the Chair position for the remaining term. At any point in time, the Executive Committee is made up of an odd number of Officers, no less than five (5) and no more than seven (7), with one acting Chair and Vice Chair. The Officer terms should be staggered for continuity of leadership.

### 3.3.3 Meeting Cycles

The Executive Committee is expected to have in-person meetings (preferred) or teleconferences monthly and as needed, throughout the year. Executive Committee members are also expected to attend as many meetings of the Functional Areas as possible, as well as *SCC Monthly Meetings*, *Bi-Annual HPH Partnership Meetings*, and *CISC-SC Meetings*. The Secretariat shall publish an annual schedule of meetings at the beginning of each calendar year or as early as possible for newly designated meetings.

#### ***SCC Monthly Meetings***

The Executive Committee must convene at least one in-person SCC meeting per year as long as there is not an impending public health or other emergency. These meetings, which are open to all SCC members, serve as a forum for updating SCC leadership and members and provide opportunities for cross-collaboration across Working Groups and Functional Areas. The following guidelines apply:

- Meetings will be scheduled at the beginning of each calendar year to provide ample notice to members and interested observers; and,
- The location of these meetings may rotate through regions of the country or be held virtually to accommodate Executive Committee and SCC members from various locations.

#### ***Joint Councils Leadership Coordination Meetings (JLCLMs)***

The Executive Committee will convene Joint SCC-GCC meetings monthly and as needed to carry out focused planning and development activities in collaboration with government partners. These meetings may be opened to other SCC Working Group Leaders and select general members on an as needed/appropriate basis.

#### ***Bi-Annual HPH Partnership Meetings***

Executive Committee members are expected to attend the Bi-Annual HPH Partnership Meetings, which are held in the Fall and Spring of each term year. These meetings are open to all SCC members and serve as a forum for updating and collaborating with government partners.

#### ***Critical Infrastructure Cross Sector Council Meetings***

Executive Committee members are expected to attend the annual CISC-SC Meeting. The meeting is open to all SCC members and provides an opportunity for collaboration among private and public-sector entities across the wide range of critical infrastructure and key resources (CIKR) sectors. One Officer is eligible to be appointed by a majority vote of the Executive Committee to serve as the principal SCC Executive Committee representative/liaison. This appointment will be reconfirmed each October by the Executive Committee and may run for consecutive years.

## 4. Past Officers Council

### 4.1 MEMBERSHIP

All former Executive Leadership and Executive Committee members with exemplary service will be considered for the Past Officers Council (POC). At the completion of the Chair's term, they shall be delegated the responsibility of leading the POC as a non-voting member of the Executive Committee. All POC members must remain active within the SCC. In the event the former Officer's organization is no longer a member, the former Officer is required to submit a request to the SCC to act as a Subject Matter Expert (SME). Former Officers maintaining security clearances are able to maintain additional responsibilities with approval of the Chair and

Executive Committee.

## 4.2 ROLES AND RESPONSIBILITIES

POC members can provide expertise and experience, as well as information on major events, policy information, requests for information, and member relation issues. POC members have no more authority than current SCC members but may serve in special delegated appointments as approved by the Chair and Executive Committee.

POC members are expected to attend at least four (4) SCC membership calls per year and are encouraged to attend the annual CISC-SC Meeting. POC members may be requested to attend JCLCMs by the Officers as needed, either by teleconference or in person, and may be assigned specific tasks by the Executive Committee.

# 5. Standing Working Groups

## 5.1 MEMBERSHIP

Standing Working Groups are organized by the Executive Committee and center on issues considered of long-term importance to the HPH Sector and across different Functional Areas.

Standing Working Groups can be limited to the SCC or may operate as a Joint Working Group between the SCC and GCC. Joint Working Groups should be comprised of SCC and GCC members with relevant knowledge and interest of the groups subject. Working Groups may invite SMEs and other representatives to serve as consultants on a permanent or as-needed basis. The additional representatives should be vetted as prospective members and rightfully labeled as voting or non-voting members if they meet the SCC membership criteria.

## 5.2 ROLES AND RESPONSIBILITIES

Standing Working Groups are tasked with addressing ongoing cross-sector needs of the HPH Sector considered to be of permanent/long-term relevance. Working Groups undertake long-term projects that produce concrete deliverables which help to inform and advise the HPH Partnership. Examples of standing Working Groups include:

- Joint Cybersecurity Working Group (JCWG)
- Joint Supply Chain Resilience Working Group (JSCRWG)
- COVID-19 Response Coordination Working Group (CRCWG)

## 5.3 OPERATING PROCEDURES

The nature of the operating procedures, and whether to have formal procedures, are up to the discretion of each Working Group within the boundaries and purview set by the Executive Committee. At all times, standing Working Groups are expected to adhere to the SCC Brand Guidelines and Ethical Guidelines set forth in Appendix B and Appendix C, respectively.

### 5.3.1 Decision Making Process

Standing Working Groups establish their own decision-making processes. However, all discussions and deliberations should be respectful and should encourage the expression of diverse opinions and points of view.

### 5.3.2 Meeting Cycles

Standing Working Groups are expected to have at least three meetings per year and may have more at their own discretion. The nature (in-person, teleconference, etc.) and location will be up to each Working Group's discretion based on their specific needs and requirements.

SCC Working Group members may attend the SCC, and Joint SCC-GCC Council meetings described in Section 3.3.2.

## 6. Task Groups

### 6.1 MEMBERSHIP

Task Groups are organized at the discretion of the Executive Committee to work on specific short-term (<1 year) projects. The membership of each Task Group should be appropriate to the issue and tasks at hand. Task Groups may be comprised solely of SCC members or a combination of SCC and GCC members to operate as a Joint Task Group. They may include SMEs and other government representatives as needed.

### 6.2 ROLES AND RESPONSIBILITIES

Task Groups are given short-term projects of immediate importance that have clear scopes and deliverables, which can be completed within a year. All Task Group products are meant to inform and advise the SCC. Examples of Task Groups include:

- Spring/Fall Council Planning Task Group
- SCC 501(c)(3) Task Group

### 6.3 OPERATING PROCEDURES

The nature of the operating procedures, and whether to have formal procedures, are up to the discretion of each Task Group within the boundaries and purview set by the originating body (i.e., Executive Committee or Functional Area). At all times, Task Groups are expected to adhere to the SCC Brand Guidelines and Ethical Guidelines set forth in Appendixes B and C, respectively.

#### 6.3.1 Decision Making Process

Task Groups may establish their own decision-making processes as appropriate to their assigned project or tasks. However, all discussions and deliberations should be respectful and fully capitalize on the diverse perspectives, expertise, and experience of its members.

#### 6.3.2 Meeting Cycles

The frequency of Task Group meetings will be up to each group's discretion based on the specific requirements of their assigned project or tasks.

Task Group members may attend the SCC and Joint SCC-GCC Council meetings described in Section 3.3.3.

## 7. Ad Hoc Committee

### 7.1 MEMBERSHIP

Ad Hoc Committees are organized at the discretion of the Executive Committee to work on specific short-term topic-oriented collaborations. The membership of each Ad Hoc Committee should be appropriate to the issue and topic. Ad Hoc Committees can be limited to the SCC or may operate as a Joint Ad Hoc Committee between

SCC and GCC. They may also include SMEs and other government representatives as needed.

## 7.2 ROLES AND RESPONSIBILITIES

Ad Hoc Committees are given short-term topics of immediate importance that have clear or potentially unclear scopes, deliverables, and timeframes to address specific risks and novel topics of national health security interest. All products of the Ad Hoc Committees are meant to inform and advise the SCC. Examples of Ad Hoc Committees include:

- Governance Ad Hoc Committee
- Advocacy Ad Hoc Committee

## 7.3 OPERATING PROCEDURES

The nature of the operating procedures, and whether to have formal procedures, are up to the discretion of each Ad Hoc Committee within the boundaries and purview set by the originating body (i.e., Executive Committee or Functional Area). At all times, Ad Hoc Committees are expected to adhere to the SCC Brand Guidelines and Ethical Guidelines set forth in Appendixes B and C, respectively.

### 7.3.1 Decision Making Process

Ad Hoc Committees may establish their own decision-making processes as appropriate to their assigned project or tasks. However, all discussions and deliberations should be respectful and fully capitalize on the diverse perspectives, expertise, and experience of its members.

### 7.3.2 Meeting Cycles

The frequency of Ad Hoc Committee meetings is up to each group's discretion based on the specific requirements of their assigned project or tasks.

Ad Hoc Committee members may attend the SCC and Joint SCC-GCC Council meetings described in Section 3.3.3.

# 8. Joint Collaborations

## 8.1 JOINT COUNCIL LEADERSHIP COORDINATION MEETING (JCLCM)

The JCLCM is a monthly coordination meeting led by the Chair of the SCC and Co-Chairs of the GCC. Active attendees of JCLCMs include the Officers of the SCC, and leaders of the GCC. Additional participants can include Functional Area Leaders, Working Group and Task Group Leaders, and ad hoc SMEs.

### 8.1.1 Purpose

The purpose of the JCLCM is to maintain the core business functions of the Joint Council Coordination as chartered and directed.

### 8.1.2 Frequency

The JCLCM occurs every third Wednesday of the month on a recurring monthly basis. The specified day of week is subject to change.

### 8.1.3 Special Considerations

Held under CIPAC, a quorum of SCC and GCC representation is required.

## 8.2 JOINT SECTOR SENIOR ADVISORY COUNCIL (JSSAC)

The JSSAC (Jay-Sack) is a sub-council of Officers (current and past), leaders, and SMEs that maintain an active national security clearance and are tasked with providing guidance to private and public sector organizations based on threat intelligence and risk management across the HPH and Cross-Sectors.

### 8.2.1 Purpose

The purpose of the JSSAC is to facilitate information sharing to enhance national health security risk management and response coordination in a restricted setting and forum.

### 8.2.2 Frequency

The JSSAC meets no less than twice annually for security briefings at the SECRET or TOP SECRET level. JSSAC collaboratives may additionally convene based on significant risk or threat intel sharing needs.

### 8.2.3 Special Considerations

JSSAC membership requires an active SECRET (S), TOP SECRET (TS), or TS/Special Compartmental Information (TS/SCI) level national security clearance, formal engagement of security information sharing processes, and may require CIPAC coverage.

## 8.3 AD HOC JOINT ADVISORY GROUP (AHJAG)

The AHJAG (A-JAG) is a joint SCC and GCC collaboration that allows for cross-functional communication, coordination, collaboration, and contribution to the HPH Sector by SCC and GCC members.

### 8.3.1 Purpose

The purpose of the AHJAG is to conduct transparent, collaborative engagement of the HPH Sector to ensure national health security risk, threat mitigation, and response coordination.

### 8.3.2 Frequency

The AHJAG meets based on topic, risk/threat mitigation, or response coordination needs.

### 8.3.3 Special Considerations

AHJAG meetings may be held under CIPAC and require an SCC Officer's sponsorship and oversight to organize and operate.

## 9. End of Membership

1. Membership in the SCC shall be terminated by:
  - a. Lack of representation on the organizational roster;
  - b. Organizational change in status or acquisition;
  - c. Direct members request; or,
  - d. Expulsion by the SCC.
2. A member may terminate its membership by writing to the SCC Secretariat at any time and with immediate effect.
3. The SCC may terminate membership if:
  - a. The member ceases to exist as a legal entity in accordance with applicable laws in the state in which the member is incorporated;
  - b. The member has ceased to satisfy the relevant eligibility criteria for its membership set at that time in or by force of the Charter of the SCC; or,



- c. The SCC, in the reasonable opinion of the Executive Committee, cannot otherwise allow the membership to continue.
4. The SCC may only expel a member if the member acts in violation of the Charter, Branding Guidelines, CIPAC Ethical Principles, decisions of the SCC or unreasonably prejudices the SCC.
    - a. Termination or expulsion by the SCC shall be decided by a majority vote of the SCC Executive Committee.
    - b. Termination or expulsion by the SCC of a member shall be in writing and takes immediate effect upon issuance.
    - c. The SCC may suspend a member to provide them with a period of time in which to resolve the matter which could otherwise lead to membership termination or expulsion.
    - d. The SCC shall set a time limit on the period of suspension. If the matter is not resolved within the given time limit to the satisfaction of the SCC, termination or expulsion shall then take place, unless the SCC grants an extension.
    - e. For the avoidance of doubt, regardless of the reason for membership termination, the member organization is considered liable under all provision of the SCC Charter and its adjacent components, e.g., Branding Guidelines and CIPAC Ethics Principles.

### ***End of Attendance for Representative(s) of Members***

1. When there is an end of membership and/or a member decides not to have one or more of its representatives perform their responsibilities, they automatically end attendance.
2. A member must notify the SCC Secretariat of any change in representative(s) within thirty (30) days of such action by email or written correspondence.
3. The SCC may terminate one or more representatives if:
  - a. A representative violates any portion of the active SCC Charter at the time of the transgression, which includes going against SCC's decision or unjustly harming its reputation and/or interests.
  - b. The representative is convicted of a felony offense; or
  - c. The SCC, in reasonable opinion of the Officers, cannot otherwise allow attendance to continue.
4. The SCC Executive Committee will alert the member in advance of any action.
5. Termination or expulsion by the SCC shall be decided by a majority vote of Officers.
6. Termination or expulsion by the SCC shall be in writing to the member and the representative(s) and takes immediate effect upon issuance.
7. The SCC Executive Committee may suspend the attendance of one or more representatives when it believes that termination of said representative from the SCC may become necessary. Suspension allows said representative and member time to address the issue that could otherwise lead to their removal.
  - a. The SCC shall set a time limit on the period of suspension. If the issue is not resolved within the time limit to the satisfaction of the SCC, termination or expulsion shall then take place, unless the SCC grants an extension.
8. Ending of membership, for whatever reason, the member organization and the representative ARE considered liable under all provisions of the SCC Charter and its adjacent components, e.g., Branding Guidelines and CIPAC Ethics Principles.



# Appendix

# APPENDIX A: GLOSSARY OF ACRONYMS

**CIKR** – Critical Infrastructure Key Resources

**CIC-SC** – Critical Infrastructure Cross Sector Council

**FSLC** – Federal Senior Leadership Council

**GCC** – Government Coordinating Council

**HPH** – Healthcare and Public Health

**HPHGCC** – Healthcare Sector Government Coordinating Council (also referred to as the GCC in this charter document)

**HPHSCC** – Healthcare and Public Health Sector Coordinating Council

**JCLCM** – Joint Councils Leadership Coordination Meeting

**JCLCWG** – Joint Councils Leadership Coordination Working Group

**NIAC** – National Infrastructure Advisory Council

**PCIS** – Partnership for Critical Infrastructure Security, Inc.

**SCC** – Sector Coordinating Council

**SLTTGCC** – State, Local, Tribal, and Territorial Government Coordinating Council

**SME** – Subject Matter Expert

**SRMA** – Sector Risk Management Agency

# APPENDIX B: SCC BRAND GUIDELINES

## 1. Introduction

These guidelines aim to create a consistent and unified brand presence instantly recognizable as the SCC. It is important for all members and sub-entities of the SCC to adhere to these guidelines to maintain the strength and integrity of the SCC as well as the HPH Partnership brand.

## 2. Logo Specifications

### 2.1 Logo Ownership and Integrity

- The SCC owns the rights to their logos, as well as logos of the groups operating under its Charter.
- The SCC logo should always be used in its entirety with no alterations or modifications. This includes maintaining the original colors, proportions, and positioning of the text and symbols. The logo should not be rotated, skewed, or otherwise distorted.

### 2.2 Logo Usage: Affiliation and Integration

If affiliated or operating under the SCC Charter, the following rules apply:

- Do not post HPH Partnership logos or their elements, new or old, without prior approval of the Executive Committee.
- When displaying the SCC or HPH Partnership logos on a website or document page, it is required to appropriately integrate and disclose the group's functional name under the HPH Partnership

If not affiliated with or not operating under the SCC Charter:

- It is prohibited to use the SCC or HPH Partnership logos or their brand elements in a way that misleads or implies affiliation, endorsement, or sponsorship where such relationship does not exist.

### 2.3 Logo Sizing and Spacing

#### **Clear Space**

- Ensure the minimum amount of clear space on all sides is equal to the height of 'H' in HPHSCC.
- Do not use the logo on busy or cluttered backgrounds that make it hard to read.

#### **Sizing**

- To ensure visibility and legibility, the logo should never be smaller than 1 inch (for print publication) or 100 pixels (for digital publication).
- Do not stretch or distort logo proportions; always maintain its original aspect ratio.

## 3. Color Palette

SCC's official colors are as follows:

- Primary Blue: Hex #00578A (RGB: 0,87,138)
- Secondary Blue: Hex #0085CA (RGB: 0,133,202)
- White: Hex #FFFFFF (RGB: 255,255,255)
- Light Gray: Hex #D3D3D3 (RGB: 211,211,211)
- Dark Gray: Hex #464646 (RGB: 70,70,70)

These colors should be prominently featured in all SCC materials.

## 4. Typography

The official fonts of the partnership are:

- Heading: Open Sans Bold
- Subheading: Open Sans Semibold

- Body: Open Sans Regular

These fonts should be used consistently across all official SCC materials for consistency and brand recognition.

## 5. Sub-Logos (For Working Groups, Task Groups, and Ad-Hoc Committees)

For entities under the SCC umbrella, such as Working Groups, Task Groups, and Ad-Hoc Committees, the following guidelines apply to their sub-logos.

### 5.1 Prominent SCC Logo

It is important to incorporate the SCC logo in a prominent position on all sub-brand materials, ensuring high visibility and clear association with SCC.

### 5.2 Differentiation in Logo

Each sub-brand should differentiate itself from other working groups by incorporating its name underneath “Healthcare and Public Healthcare Sector Coordinating Council” within the logo. It is imperative to incorporate the SCC logo in a prominent position on all sub-logos, ensuring visibility and association with the SCC.

Following these guidelines allows entities associated with the SCC to effectively maintain distinct identities, while reinforcing affiliation with the organization.

## 6. Co-Branding with Sponsors

Co-Branding may become necessary when the SCC collaborates with sponsors and external partners. In such instances, it is essential to approach co-branding in a respectful manner that honors both brands.

### 6.1 Sponsor Logo Usage

The sponsor’s logo can be used alongside the SCC logo, but it should never overshadow or be larger than the SCC logo. It must maintain a clear space between the SCC logo and the sponsor’s logo, equivalent to the height of 'H' in HPHSCC.

### 6.2 Sponsor Logo Placement

In most cases, position the SCC logo on the left or above the sponsor’s logo, signifying the leading role of SCC in the partnership. For digital formats, the SCC logo must appear first in the reading order.

### 6.3 Color and Typography

The sponsor’s original colors and typography can be used in their logo. Any accompanying text or designs should adhere to the SCC color palette and typography for visual cohesion.

### 6.4 Approval

All co-branded materials must receive approval from both SCC and the sponsor before public release, ensuring that both entities are represented in a manner that aligns with their respective brand guidelines.

The aim of co-branding guidelines is to cultivate a mutually beneficial relationship that upholds the integrity and recognition of each organization. It is crucial to produce all co-branded materials with adherence to these guidelines and any specific guidelines provided by the sponsor or external partner. This approach fosters a strong partnership between the parties involved.

## 7. Other Imagery

The SCC owns a curated collection of stock photos that are available for digital and print publishing purposes. These stock photos can be rightfully used by the SCC or its affiliated groups. No other imagery, other than the ones depicting members of the SCC may be published by the SCC or its bodies (Working, Task, Ad Hoc, Functional Area and other

affiliated groups).

The imagery used should reflect the diversity, professionalism, and mission of the SCC. Images should be high-resolution, clear, and professionally shot. Images should not contain violence, explicit content, or anything that might be deemed inappropriate or offensive.

- Any personal image used on the HPH-associated websites must be accompanied by explicit consent from the owner for publishing.
- Any diagrams and graphic material developed by groups operating under the SCC Charter need to undergo review and approval by the SCC Executive Committee. Upon approval, these materials should be saved in the SCC library; the SCC reserves the right to use that material as it deems appropriate.

## 8. Voice and Tone

The voice of the SCC and the HPH Partnership should be represented in the first-person plural form (we/us/our, where applicable). This inclusive language helps convey a sense of unity and collaboration.

It is essential to reach a consensus on the definition of the SCC, core values, and specific terms used when addressing the purpose and goals. This agreement ensures a cohesive and consistent communication style throughout all external documents and interactions.

## 9. Language

The official language for all SCC materials is English. Any content in a different language must always be accompanied by an accurate English translation.

# APPENDIX C: HPHSCC ETHICS GUIDELINES

## 1. HPHSCC Ethics Guidelines

The HPHSCC Ethics Guidelines are as follows:

- HPHSCC members shall comply fully with all applicable statutes, laws, and regulations;
- HPHSCC members shall be familiar with the source of the information they maintain access to, to respect the sensitivities and potential harm associated with the compromise of that information;
- HPHSCC members shall handle and distribute sensitive information only in manners permitted by or in keeping with federal policy;
- HPHSCC members shall not use the SCC organization for personal or non-public gain and shall avoid the appearance of using the SCC organization for personal or non-public gain;
- HPHSCC members shall not influence and shall avoid the appearance of influencing or seeking to influence public decisions for non-public benefit;
- HPHSCC members shall not induce any federal official to violate the law and shall avoid the appearance of inducing a federal official to violate the law; and,
- HPHSCC members shall not make or give the appearance to make commitments, obligations, or representations improperly binding the United States Government, or the SCC.

## 2. Process

### 2.1 COMMIT TO ETHICAL CONDUCT

Commitment to doing business honestly, ethically, and with respect for each other is critical to the public-private partnership. This partnership depends on an environment of open communication, empowerment, inclusion, integrity, and trust. These values remain at the forefront of our culture and our business decisions. We must maintain our commitment to these values and continue building a culture that understands what is acceptable and what is not. We should never compromise on issues of integrity.

When we are faced with an ethical dilemma, we all have a responsibility to take appropriate action. Regardless of the situation, we must exercise total honesty and integrity in everything we do. As members of public-private partnership, we are responsible for complying with all applicable laws and regulations. Our commitment to doing the right thing will strengthen the HPH Sector Partnership and its reputation as a model of public-private cooperation.

### 2.2 KNOW THE GUIDELINES

Most people would never knowingly violate a law or policy. Sometimes situations arise where the right thing to do is not clear. SCC members should refer to these Ethics Guidelines for clarification.

Long-term, trusting partnerships are built by honesty, openness, and fairness. These Guidelines reflect this principle.

Members of the SCC are expected to know, understand, and abide by these Guidelines. SCC members are expected to watch for potential violations of the Guidelines and to report them to one of the chairs or the secretariat—whether they occur inside the SCC framework or through external dealings with members' customers or other persons, businesses, or government organizations.

These Guidelines are detailed but cannot address every situation SCC members may possibly face. SCC members are expected to exercise good judgment in decision-making and to seek help when they have questions or concerns not addressed in the Guidelines.

## 2.3 SHARE CONCERNS

All SCC members are expected to report promptly any issue or concern they believe, in good faith, may constitute a violation of the Guidelines or their organization's policies. SCC members are also encouraged to come forward if they encounter a situation that "just does not feel right." Open communication and empowerment are key elements of trust, and SCC members' commitment to take action to share concerns will help to ensure an ethical working environment for all public-private sector partnership members.

Several options are available for voicing concerns. SCC members may contact an SCC Chair, Vice Chair, or Officer, or Federal official in the FSLC. Federal government Partnership members should consult their agency/organization's ethics counselor or legal advisor regarding Federal obligations related to ethics and Executive Branch standards of conduct.

## 3. Federal Ethics Legal Considerations

An understanding of Federal Ethics Laws is essential for Federal Officials and for private-sector individuals doing business with the Federal government. These Ethics Guidelines are supported by a host of Federal laws that may be referenced in the U.S. Office of Government Ethics' (OGE) Compilation of Federal Ethics Laws. Many ethics topics in that compilation—such as conflicts of interest; bribery and gifts; and procurement integrity—warrant specific reference in these Guidelines.

### 3.1 CONFLICTS OF INTEREST

Conflicts of interest can be personal or organizational. Personal conflicts of interest can encompass a variety of situations involving use of official position for personal gain. An area that raises particular ethical and business concerns for the Federal government is the "organizational conflicts of interest" or "OCI." The Government is required to avoid strictly even the appearance of a conflict of interest when it is procuring goods and services. OCI rules detailed in Federal regulations focus upon the unfair competitive advantage that a potential contractor has, or may gain, from previous work performed for, or other involvement with, the Government, or the potential for bias in the evaluation or award of a prospective procurement.

OCI concerns are important to the public-private partnership because of the risk posed to the public trust regarding private-sector members in the SCC. To avoid that situation, no SCC member may be placed or permitted to act in a manner where they provide assistance or advice to the government that can result in favor to its product or service in government procurement. In addition, no private-sector SCC member may be provided access to information, creating an unfair competitive advantage for future government procurements. Failure to address effectively and proactively conflict of interest issues such as these would preclude private-sector entities from being able to compete effectively and will most certainly degrade the public's respect for and trust in the HPH Partnership.



## 3.2 BRIBES, KICKBACKS, AND ILLEGAL GRATUITIES

### ***Bribery***

Federal and State bribery laws generally provide that it is a crime to give or promise “anything of value” to a public official (or to a person who has been selected as a public official) with the intent to influence that official to do an official act. Usually bribes are cash payments, however sometimes non-cash payments (such as expensive gifts) are also considered bribes under the law.

No SCC member shall offer, solicit, or accept a bribe in connection with any public-private partnership transaction. The partnership is built on mutual trust. SCC members engaging with public partners must be beyond challenge or reproach in connection with every transaction.

Violation of the bribery laws can lead to imprisonment, fines, or both, depending on the magnitude of the transaction.

### ***Kickbacks***

SCC members must comply strictly with the Anti-Kickback Act of 1986 and similar state statutes to which they may be subject. A kickback is generally defined as any money, fee, commission, credit, gift, gratuity, thing of value, or compensation of any kind provided, directly or indirectly, by any prime contractor, prime contractor employee, subcontractor or subcontractor employee, for the purpose of improperly obtaining or rewarding favorable treatment in connection with a prime contract or a subcontract relating to a prime contract. A kickback is similar to a bribe, except that it extends to obtaining favorable treatment between prime and subcontractors instead of involving an attempt to influence a public official.

The Anti-Kickback Act is a Federal law that prohibits the use of kickbacks by prime contractors and subcontractors who seek the award of Federal government contracts. Violations of the Anti-Kickback Act can result in criminal and civil penalties against individuals and the company.

### ***Gratuities***

Similar to the bribery law, the law regarding gratuities prohibits giving, offering, or promising “anything of value” to a public official. Generally, Federal government employees may never solicit gifts and may not accept gifts or gratuities from individuals and/or companies who seek to do business with the government or that are provided based upon their title or position with very limited exceptions. As distinguished from bribery, however, and to avoid even the appearance of impropriety, the gratuities regulations cover any gift or promise to give, whether or not intent to influence can be demonstrated.

Violations of the gratuities law can result in fines and/or imprisonment for companies and individuals, contract termination, suspension or debarment, and assessment of damages. SCC members must comply with their public-sector partners’ gift policies even though no contract, procurement, RFP, or RFI may be involved. Questions regarding the offer or acceptance of gifts and gratuities to Federal government officials should be addressed to the government official’s ethics counselor, legal advisor, or the United States Office of Government Ethics.

### 3.3 FEDERAL GOVERNMENT PROCUREMENTS

#### ***The Procurement Integrity Act***

In 1996, Congress passed the Office of Federal Procurement Policy Act, commonly referred to as the Procurement Integrity Act. This law applies to Federal government procurements that exceed \$100,000. It is aptly named Procurement Integrity because it seeks to protect the integrity of the Federal government procurement system. The Act requires that bid and proposal information be protected from disclosure and prohibits improper influence over procurement officials. The Procurement Integrity Act restrictions apply to all contract awards, whether competitive or sole source.

Public sector members of the partnership provide Executive Secretariat support services to the Critical Infrastructure Cross-Sector Council (CIC-SC) and several Sector Coordinating Councils (SCCs) when doing so enhances their participation in activities that promote government mission interests. This support is provided through support contracts funded by Federal appropriations. In addition, private sector members provide support to other private-sector members through contracts and other legitimate business arrangements. Because of the complex business, Executive Secretariat support, and CIKR policy coordination relationships involved, disclosure of support contract bid and proposal information to private sector members in the public-private sector environment or the conduct of any industry-to-government business or procurement discussions could easily be perceived as evidence of improper access to or influence over procurement officials and should be strictly avoided.

Additionally, the Act places certain post-employment restrictions on Federal government employees involved in procurements. SCC members must comply with these restrictions when they hire former Government personnel.

Violations of the Procurement Integrity Act are criminal and civil offenses, punishable by both imprisonment and fines.

#### ***Post-Employment Restrictions***

SCC members cannot offer, and a Federal Government official cannot accept from members, compensation, directly or indirectly, after serving in any of the following capacities in a procurement awarded to the member: procuring contracting officer, source selection authority, member of the source selection evaluation board or head of the finance or technical evaluation teams, program manager, deputy program manager or administrative contracting manager. This ban on compensation applies if the procurement or procurement-related action exceeded ten million dollars (\$10,000,000), and it continues for a period of one year. The one-year compensation ban begins on various dates based on the actual role of the official. Government procurement officials may also be subject to other kinds of post-employment restrictions.

#### ***Bid or Proposal Information and Source Selection Information***

Government source selection information, such as procurement plans, technical evaluation plans, or source selection rankings, prepared by an SCC member or rightfully in a member's possession should be protected from unauthorized disclosure, even within the public-private partnership, and marked appropriately. While the member may choose to release its own bid or proposal information to third parties, it may not solicit or obtain the bid or proposal information of others prior to contract award.

In addition to these restrictions, Federal Antitrust law and some state laws also protect companies from improper use of their proprietary and trade secret information. SCC members should only seek access

to public domain information about procurements, even after contract award and should never use the public-private partnership framework or relationships developed within the framework as a source for coordination regarding their Federal procurement activities.

### 3.4 GOVERNMENT SECURITY

SCC members may maintain facilities authorized by the Federal government to store classified national security information. Access to such information is restricted to those SCC members' employees with proper Federal government clearances and a need to know. All such cleared employees who enter a cleared facility agree to adhere to all stated policies and procedures required to maintain its cleared status.

The unauthorized possession, use, or disclosure of classified national security information is punishable under Federal Espionage laws and criminal statutes.

### 3.5 LOBBYISTS AND OTHER THIRD PARTIES

Federal laws govern the disclosure of agreements with, and payments to lobbyists and certain third parties. The term "Lobbying" includes influencing or attempting to influence an officer or employee of Congress, or any employee or member of Congress in connection with any of the following covered Federal actions: the awarding of any Federal contract, and the extension, continuation, renewal, amendment, or modification of any Federal contract.

SCC members should not, nor should they hire third parties to engage in lobbying on behalf of the SCC regarding the awarding, extension, continuation, renewal, amendment, or modification of any Federal contract.

### 3.6 REVIEW, DISPOSITION, AND DOCUMENTATION PROVISIONS

All new SCC and Cross-Sector Council members must read and acknowledge agreement with these Guidelines. Existing SCC members must annually review and acknowledge agreement as well.

Questions regarding ethics issues in the public-private sector environment generally should be addressed to the leadership of the SCC. Similarly, ethics concerns by government members should be addressed to their ethics counselor, legal advisor, or to the Department of Homeland Security's Agency Ethics Official. Suspected violations or infringement of these guidelines may be similarly communicated.

I, \_\_\_\_\_, have read, understand, and agree to comply with the above HPHSCC Brand Guidelines and Ethics Guidelines, including the General Principles, A through E.

\_\_\_\_\_ Signature

\_\_\_\_\_ Date

# Signature Page

The undersigned acknowledge they have reviewed the SCC Comprehensive Charter and ratify its governance authority over the operations and activities of the members and operating bodies of the SCC.

**Printed Name**

**Signature**

**Date**

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