

Transportation – Mass Transit and Passenger Rail Sector Charter

Article I – Official Designation

This organization shall be known as the Mass Transit and Passenger Rail Sector Coordinating Council, hereinafter referred to as “SCC”. The group is also known as the Transit Policing and Security Peer Advisor Group (PAG).

Article II – Mission and Purpose

The SCC/PAG serves as the primary private sector policy coordination and planning entity to collaborate with the Department of Transportation and the Transportation Security Administration, Mass Transit and Passenger Rail Government Coordinating Council (GCC), and other government entities to address the entire range of critical infrastructure security and resilience activities and sector-specific issues and concerns.

The council serves as a voice for the sector and represents a principal entry point to collaborate with government for critical infrastructure security and resilience activities. Wherever possible, the council will participate in efforts to establish voluntary practices to ensure that sector perspectives are included in relevant presidential policy directives (PPDs), the *National Infrastructure Protection Plan* (NIPP), sector specific plans (SSPs), security directives issued by TSA and other policy documents related to critical infrastructure security and resilience.

The mission of the SCC/PAG is to work in partnership with the Transportation Security Administration and other federal agencies, as appropriate, to reduce the risk of terrorism and intentional harm to passengers, employees and the critical infrastructure of mass transit systems through the exchange of information, best practices and intelligence and to identify funding, equipment and other resources that enhance the ability to offer the greatest level of planning, procedures and protective capabilities.

Article III – Objectives and Scope of Activity

The SCC/PAG is self-organized, self-run, and self-governed. Its objective is to establish and maintain a representational membership and mechanism enabling owners and operators, their trade associations, vendors, and others to interact on a wide range of sector-specific strategies, regulations, policies, activities, and issues related to critical infrastructure security and resilience.

The council’s scope of activity includes:

- Serving as a strategic communication and coordination mechanism between owners, operators, and suppliers, and, as appropriate, with the government

during emerging threats or response and recovery operations, as determined by the sector.

- Collaborating with federal partners to promote continuous improvement of security and resilience efforts within the sector as national and sector goals and priorities are identified and addressed.
- Collaborating with federal, state, and local and tribal partners during the planning, review, and/or implementation of efforts related to national-level policies, such as NIPP and SSPs. *Spill out.*
- Coordinating with the Mass Transit and Passenger Rail GCC to produce and share information for situational awareness and to identify, implement, and support appropriate information-sharing capabilities and mechanisms.
- Identifying, developing, and sharing information within and across the sectors, including both public and private sector members, concerning effective physical and cybersecurity risk detection, best practices, and innovative mitigation methods.
- Coordinating with the Mass Transit and Passenger Rail GCC to set joint priorities, identify risks, adopt and implement relative guidance, and report on progress made toward implementation.
- Collaborating with the Mass Transit and Passenger Rail GCC to further develop processes for prioritizing and characterizing risk and incident management requirements within the sector.
- Collaborate with industry partners to ensure that transit police and security funding, regulations, and legislative requirements are conducted in a focused and deliberate manner.
- Interact with other Sector Coordinating Councils and Government Coordinating Councils to enhance transit security through targeted security programs, policies, procedures and strategies.
- Discuss and recommend best practices and protective security measures for public transit operators and owners based on intelligence and current threat levels.

Article IV – Membership and Member Representatives

Membership

With the principle of diverse representation of the sector in mind, SCC/PAG members are organizational and defined as follows: (i) owner/operator of a recognized SCC organization, including their representative trade associations. (ii) state and local governmental entities comprising the members of the SCC for this sector and (iii) other agencies with responsibility for security (cyber and infrastructure) and resilience activities within the mass transit and passenger rail sector. Owner/operator as defined in the CIPAC Charter Section IV Subsection B.

- A Chairperson and a Vice Chairperson will be selected bi-annually by consensus from all primary members. If no consensus can be reached, a majority vote will be used to select the positions.
- The Chairperson and the Vice Chairperson shall not be from agencies in the same region.
- From time to time the Chairperson of the SCC/PAG will accept requests from organizations wishing to join the SCC/PAG. Selection will be made by Chairperson / Vice Chairperson.
- The SCC/PAG reserves the right to invite *ad hoc* members from other agencies, departments, or industries whenever necessary and appropriate.
- Membership rosters are maintained by TSA and the Chair.

Member Representatives

Each SCC/PAG member organization determines its primary representative(s) or points of contact (POCs) to represent the member at SCC/PAG activities. The member's representative (s) will be added to the council's membership rosters and communication lists.

Article V – Governance and Officers

Governance

The SCC/PAG shall function as a consensus-driven body representing the collective interests of the owners and operators of the Mass Transit and Passenger Rail sector.

A quorum of at least two thirds of the council membership must be present, either in person or by teleconference, to formally consider council business. Proxy voting may be accepted by prior written submission to the chairperson, but proxy participation will not be considered for quorum purposes.

Officers

As stated above, a Chairperson and a Vice Chairperson will be selected bi-annually by consensus from all primary members. If no consensus can be reached, a majority vote will be used to select the positions.

The Chairperson and the Vice Chairperson shall not be from agencies in the same region.

When the Chairperson of the PAG receives requests from agencies wishing to join the PAG, a selection will be made by the PAG Chair and Vice Chair based on established criteria and a vote of confirmation by the PAG members must be held. PAG members

must be notified of any agency request for membership that was not selected for confirmation by the Chair and Vice Chair.

Article VI – Meetings

The SCC/PAG conducts monthly meetings by teleconference.

The SCC/PAG will meet by teleconference at least monthly to consider policy issues, exchange intelligence, discuss challenges and share information as appropriate.

23 | The SCC/PAG functions as a consensus-driven body representing the collective interests of the owners and operators of the sector. To formally consider council business, a quorum of at least two thirds of the council membership must be present, either in person or by teleconference. Proxy voting may be accepted by prior written submission to the chairperson, but proxy participation will not be considered for quorum purposes. The chairperson will generally follow Robert's Rules of Order during the meeting and, on those issues requiring a vote, decisions will be made based on a majority of members present.

Article VII – Recordkeeping

The procedures for the handling, sharing, and storage of council records and other documentation are as follows:

- Council member documents that are shared within the council are presumed to be owned by the member. All such documents should be clearly marked prior to distribution by the owner as proprietary materials.
- All council draft, working, and/or final documents that are provided to or produced by council members and not intended to be federal records should be stored or distributed by using non-government owned or issued systems or equipment.
- Council documents shared with and/or in the possession of the federal government to include government funded contractors are subject to the *Freedom of Information Act* and will be properly marked prior to disseminating to government employees.
- Documents shared with and/or in the possession of state, local, tribal, and territorial government are open to the possessors' jurisdiction "State Sunshine" or "Open" laws and will be properly marked prior to dissemination.

Article VIII – Communications

The SCC/PAG may initiate outreach and communication efforts designed to highlight the robust nature of security and emergency preparedness posture at member facilities

within the scope of this charter and to educate industry, government, and the public on particular security and preparedness issues.

The SCC/PAG relies on the Homeland Security Information Network Public Transit community (PT HSIN), Public Transit-Information Sharing and Analysis Center (PT-ISAC), and the Surface Industry Sharing Cell as the principal operational tools to communicate threat information to the sector. The council may develop or choose to rely on additional or alternative communications mechanisms as necessary.

Article IX – Working Groups and Special Committees

The SCC/PAG Chairman and Vice-Chairman may establish working groups or other committees as necessary. Operating committees of the council shall be known as “working groups.”

- Working groups may be made up of any combination of council member representative(s) and subject matter experts (SMEs).
- Council members may join working groups without limit to the number of groups joined.
- Working group meetings may be held at any time, depending on the need.
- Working groups and their meetings will be led by working group chairs designated by the Chairperson/Vice-Chairperson, who may appoint working group vice chairs and establish procedures consistent with this charter for the operation of the working group.
- The chair for each working group will take responsibility for coordinating the group and communicating with the full council.
- Working groups will develop and send reports and recommendations to the Chairperson/Vice-Chairperson for approval by the full council. These reports may be written or oral, depending on the nature of the work being reported.
- Reports and recommendations from working groups will be presented at SCC/PAG meetings and/or full council meetings for approval, as appropriate, unless special conditions warrant.
- The full council will approve the scope and responsibilities of working groups and ad-hoc committees.
- Members are encouraged to actively participate in at least one working group each year, unless serving as a Chairperson/Vice-Chairperson member.
- Working groups will reach decisions by consensus.
- A working group may call upon non-member SMEs to assist in its efforts.
- The Chairperson/Vice Chairperson will inactivate working groups upon completion of tasks or if there is no further need for the working group.
- At the first council membership meeting in each calendar year, the Chairperson/Vice Chairperson will vote on the extension or termination of each working group and will vote on the extension or replacement of each working group chair.

- The Mass Transit and Passenger Rail SCC/PAG and GCC may form joint working groups. These joint working groups may be conducted under the Critical Infrastructure Partnership Advisory Council (CIPAC) when established in compliance with CIPAC requirements through the CIPAC Designated Federal Officer (DFO) within the CIPAC Executive Secretariat.

Article X – CIPAC Membership and Representation

Council Participation in Critical Infrastructure Partnership Advisory Council (CIPAC)

As explained in the current *CIPAC Charter*, the Secretary of Homeland Security established the CIPAC in March 2006 and exempted 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 critical infrastructure sector defined by PPD-21 and identified in the current National Plan. When participating in CIPAC activities, the council will comply with all requirements defined in the current *CIPAC Charter* and guidance issued by the CIPAC DFO within the CIPAC Executive Secretariat.

CIPAC Member and CIPAC Member Representative

CIPAC membership is defined in the *CIPAC Charter*. SCC member organizations will automatically be a CIPAC Member when the council chairperson notifies the CIPAC DFO via CIPAC@CISA.dhs.gov.

A CIPAC member may have more than one CIPAC member representative. The member representative's name and contact information will be added to the *CIPAC Attendee Roster* when the council chairperson notifies the CIPAC DFO via CIPAC@CISA.dhs.gov.

The procedures for maintaining a CIPAC member representative list within the council are as follows:

Federally Registered Lobbyists

Member representatives that are federally registered lobbyists may participate in CIPAC activities when in compliance with the current *CIPAC Charter*.

Subject Matter Experts

In addition to members, participants may include subject matter experts (SMEs) with technical or industry-specific expertise who is not affiliated with a member organization. SMEs participate in accordance with roles and responsibilities defined in the CIPAC Charter Section III-9 when participating in CIPAC activities.

Article XI – Amendments

The SCC/PAG may at any time amend this charter. The amended charter will be submitted to the CIPAC DFO in a timely manner for posting on the CIPAC public website.

Article XII – Approval and Duration

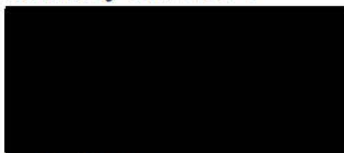
The SCC/PAG approved this charter on January 31, 2024 according to council procedures, as attested to by the following signature authorities and will be in effect for five years.

Article XIII – Approval

The council approved this charter on January 31, 2024 according to council procedures, as attested to by the following signature authorities:



Christopher Trucillo
SVP, Chief of Police & Office of Emergency Management
January 31, 2024



Polly Hanson
Senior Director Security, Risk and Emergency Management
February 1, 2024