

# **Maritime Government Coordinating Council (Maritime GCC) Charter**

## **Article I - Official Designation**

This organization shall be known as the Maritime Government Coordinating Council, hereinafter referred to as the "Maritime GCC".

## **Article II - Mission and Purpose**

The “National Infrastructure Protection Plan 2013: Partnering for Critical Infrastructure Security and Resilience” defines Government Coordinating Councils (GCCs) as consisting of “representatives from across various levels of government (including Federal and SLTT), as appropriate to the operating landscape of each individual sector.” These councils enable inter-agency, intergovernmental, and cross-jurisdictional coordination within and across sectors and partner with Sector Coordinating Councils (SCCs) on public-private efforts<sup>1</sup>. Also, the National Plan provides that the Assistant Secretary for Infrastructure Protection or his/her designee co-chairs all GCCs.

The National Plan describes a national unity of effort to achieve critical infrastructure security and resilience. Given the diverse authorities, roles, and responsibilities of critical infrastructure partners, a proactive and inclusive partnership among all levels of government and the private and non-profit sectors is required to provide optimal critical infrastructure security and resilience. Based on the guidance in the National Plan, the partnership will establish and pursue a set of mutual goals and national priorities, and employ common structures and mechanisms that facilitate information sharing and collaborative problem solving.

The Maritime GCC enables interagency, intergovernmental, and cross-jurisdictional coordination within and across sectors and partners with the sector coordinating councils, as identified in the February 12, 2013 Presidential Policy Directive/PPD-21, "Critical Infrastructure Security and Resilience." The Presidential Policy Directive (PPD) on Critical Infrastructure Security and Resilience advances a national unity of effort to strengthen and maintain secure, functioning, and resilient critical infrastructure. The Maritime GCC is composed of representatives from across various levels of government as appropriate to their respective risk and operating landscape.

The PPD-21 directive identifies 16 critical infrastructure sectors and designates associated Federal Sector Specific Agencies (SSAs), including Transportation Systems, with Co-Sector-Specific Agencies: Department of Homeland Security and Department of Transportation. The National Defense Authorization Act for Fiscal Year 2021 changed the term SSA to Sector Risk Management Agency (SRMA). Pursuant to 6 USC 652a, Section 9002, the term “sector risk management agency” has the same meaning given the term “Sector-Specific Agency” in section 2201(5) of the Homeland Security Act of 5 2002 (6 U.S.C. 651(5)). DHS delegated to the United States Coast Guard (USCG) and

---

<sup>1</sup> [NIPP 2013: Partnering for Critical Infrastructure Security and Resilience | CISA](#)

# **Maritime Government Coordinating Council (Maritime GCC) Charter**

the Transportation Administration (TSA) the responsibility for maritime security and transportation security for critical infrastructure purposes.

DOT has designated the Maritime Administration (MARAD) as its lead component for maritime TSS issues that are within MARAD's areas of responsibility and legal authorities. The Transportation Systems Sector Government Coordinating Council established Subsector Coordinating Councils (Aviation, Highway & Motor Carrier, Freight Rail, Mass Transit and Passenger Rail, Maritime, Pipelines, and Postal & Shipping). The Maritime Subsector includes, but is not limited to, vessel, vessel operator, shipyard, maritime labor, marine terminal owner/operator, port, and port authority stakeholders.

DHS established the Critical Infrastructure Partnership Advisory Council (CIPAC) on March 24, 2006. 71 FR 14930. CIPAC facilitates interactions between government officials and representatives of owners and/or operators for each of the critical infrastructure sectors established by PPD-21 and identified in the current National Infrastructure Protection Plan<sup>2</sup>. On November 30, 2020, DHS renewed CIPAC's charter in 2021. 86 FR 73795. Dec. 28, 2021.

In recognition of the highly-sensitive, and often confidential, nature of the subject matter involved in the activities of CIPAC, under the authority of section 871 of the Homeland Security Act of 2002 (6 U.S.C. 451), the Secretary has exempted CIPAC from the requirements of Public Law 92-463 (The Federal Advisory Committee Act "FACA") (codified at 5 U.S.C. App.). CIPAC's exemption from FACA does not extend to Transportation Sector GCC and Maritime GCC activities outside of CIPAC. Appropriate agency counsel should be consulted as necessary regarding the applicability of FACA to specific activities.

## **Article III - Objectives and Scope of Activities**

The Maritime GCC acts as the government counterpart to the maritime industry-led Maritime Sector Coordinating Council (Maritime SCC) and as the maritime subsector counterpart to the Transportation Sector GCC.

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

---

<sup>2</sup> PPD-21, released February 12, 2013, is available at <https://www.cisa.gov/resources-tools/resources/presidential-policy-directive-ppd-21-critical-infrastructure-security-and>

# **Maritime Government Coordinating Council (Maritime GCC) Charter**

- Work together to promote continuous improvement of cybersecurity, infrastructure security, and resilience-enhancing efforts within the sector as national and sector goals and priorities are identified.
- Promote adoption and implementation of risk management processes, best practices, and use of innovative methods across the sector.
- Identify and support the information-sharing capabilities and mechanisms that are most appropriate for government and industry entities.
- Coordinate with and support the efforts of sector partners to plan, implement and execute the Nation's homeland security mission.
- Report on the progress made for addressing goals and objectives and applicable national priorities.
- Acknowledge and respond to concerns of the sector, from both public and private-sector entities, working in coordination with the SCC to address and resolve those concerns when possible.
- Collaborate with the SCC to foster a coordinated sector-wide approach to physical or cyber incidents affecting the sector or during periods of heightened awareness, in accordance with the corresponding authorities, policies, and directives applicable to each agency.

## **Article IV - Membership and Member Representatives**

### ***Voting Members***

The Maritime GCC membership consists of key Federal departments and agencies responsible for, or involved in, the safe, secure, and efficient operation of the Marine Transportation System. Membership resides with the participating agency member, which selects its primary and alternate representative(s) at the appropriate decision-making level to achieve the objectives of the Maritime GCC. The Maritime Administration maintains a record of the designated primary and alternate representative(s) for each voting member. The Co-Chairs, or their designees, shall maintain a current roster of the permanent membership of the Maritime GCC.

### ***Non-Voting Members***

The Maritime GCC may include representatives or designated liaisons from other sector and cross-sector GCCs, other government agencies, or international governmental entities to participate in a non-voting capacity. Non-voting members may not serve in council or working group leadership roles per the requirements of the Critical Infrastructure Partnership Advisory Council (CIPAC) charter, and membership may be withdrawn at any time at the discretion of the SRMAs. The SRMA management staff maintains a record of the designated representative(s) for each non-voting member.

# Maritime Government Coordinating Council (Maritime GCC) Charter

## ***Subject Matter Experts***

The Maritime GCC reserves the right to invite subject matter experts to contribute expertise as needed in support of specific meetings or activities. A subject matter expert's individual expertise or opinion may be used to provide technical or industry-specific information for the purposes of informing the recommendations made by the council. Subject matter experts are non-voting participants of the Maritime GCC and do not serve in council or working group leadership roles as required under the CIPAC charter.

## ***Member Representatives***

Permanent voting members of the Maritime GCC shall be Senior Executives, or their designees, from the following entities:

- Department of Homeland Security
  - United States Coast Guard (USCG) *Co-Chair*
  - Cybersecurity & Infrastructure Security Agency
  - Transportation Security Administration
  - Customs and Border Protection
  - Federal Emergency Management Agency
- Department of Transportation
  - Maritime Administration *Co-Chair*
  - Office of the Secretary, Office of Intelligence, Security, and Emergency Response (S-60)
- Department of Justice
  - Federal Bureau of Investigation
- Department of Defense
  - U.S. Transportation Command (TRANSCOM)
  - Department of the Navy
    - Military Sealift Command
  - Department of the Army
    - U.S. Army Corps of Engineers
- Department of State
  - Transportation Affairs, Bureau of Economic and Business Affairs (EB/TRA)
- Department of Commerce
  - National Oceanic and Atmospheric Administration (NOAA)

Other government entities are invited to maintain liaison with the Maritime GCC as determined by voting members in accordance with the Voting Process described herein.

# Maritime Government Coordinating Council (Maritime GCC) Charter

## Article V - Governance and Officers

Through delegation from the Department-level SRMAs, the Maritime Administration and the USCG are designated Co-Chairs. The 2013 National Infrastructure Protection Plan provides that the Assistant Secretary for Infrastructure Protection or his/her designee co-chairs all GCCs.<sup>3</sup> The GCC coordinates strategies, activities, policies, and communications across governmental entities within each sector. As such, and in accordance with respective agency delegation, the following senior officials are designated as the Co-Chairs and Secretary of the Maritime GCC:

Co-Chairs:

- MARAD Executive Director (MAR-120)
- USCG Assistant Commandant for Prevention Policy (CG-5P)

MGCC Executive Secretariat:

- MARAD Staff (MAR-400) and/or Office of the Secretary Staff (S-60)

## Article VI - Meetings and Voting

The Maritime GCC will meet every six months, with additional scheduled meetings to be held, as needed, in the Washington, DC metropolitan area or at an alternate location determined by the voting members. Meetings are held in-person or virtual (e.g., video or telephone conference).

A quorum is the presence of 50 percent of the total membership, plus one voting member. Without a quorum, no business can be conducted. A quorum of the Maritime GCC is required to vote on issues that require final determination. Absentee or proxy ballots are not permitted. In voting, the majority of Yeas or Yes votes will determine a consensus to take a proposed action. Final Maritime GCC decisions and dissenting opinions shall be recorded by a formal letter or report signed by the Maritime GCC Co-Chairs and Executive Secretariat.

## Article VII - Recordkeeping and Minutes

Administrative and Logistic Support. Primary administrative support to the Maritime GCC will be provided by the Maritime Administration Staff and/or the Office of the Secretary Staff (S-60), designated as the Records Manager. Furthermore, infrequent

---

<sup>3</sup> Pursuant to the Cybersecurity and Infrastructure Security Agency Act of 2018, the National Protection and Programs Directorate (NPPD) was re-designated as CISA and the authorities related to the CIPAC under 6 U.S.C. 121 were transferred to 6 U.S.C. 652. Accordingly, CISA is revising the National Infrastructure Plan to reflect statutory and policy changes, including the "[William M. \(Mac\) Thornberry National Defense Authorization Act for Fiscal Year 2021](#)."

# **Maritime Government Coordinating Council (Maritime GCC) Charter**

ad-hoc support will be provided by the U.S. Coast Guard by mutual agreement of the Co-Chairs. This arrangement will also support joint Maritime GCC-SCC meetings.

Minutes of Maritime GCC meetings will be developed as follows:

1. Minutes will be drafted by the Secretary / Records Manager;
2. Minutes will be sent to the leadership for review and approval, and then to the council;
3. Draft minutes will be approved at the next meeting of the Maritime GCC; and
4. Minutes will not be distributed outside the Maritime GCC membership.

## **Article VIII - Communications**

Maritime GCC members are expected to actively participate. Discussions shall be honest, forthright, and respectful of divergent opinions. Actions should be reflective of the best interests of the industry and national security. Whenever possible, results of Maritime GCC discussions, deliberations, and products will reflect a single voice. In instances when this is not possible, there will be an agreement to respectfully disagree. The Maritime GCC recognizes that each member represents an organization with inherent legal authorities and parameters within which they must operate. At times, these authorities may restrict a member's ability to provide agreement on a decision or preclude the dissemination of information to certain members due to classification restrictions and/or inadequate security clearances of member representatives. These inherent legal authorities must be clearly articulated and understood by the Maritime GCC when they are the basis for dissent and the inability to achieve consensus.

Furthermore, the Maritime GCC members recognize that representatives may lack legal authority to act on behalf of their organizations. Therefore, the actions of the Maritime GCC or of its individual members may not be binding on their corresponding organizations.

Maritime GCC members will make decisions through a consultative process, encourage the exchange of information and points of view, and strive for consensus. Although any member may disagree with a decision, other members will strive to understand and close the gaps creating the disagreement.

Dissension will be recognized, and reasons clearly understood, by all MGCC members when a member absolutely cannot agree. When there is dissension, the Maritime GCC may move forward and act, nevertheless, to fulfill the obligations of the Maritime GCC, providing there is a quorum and a majority of members present agree, pursuant to Article VI.

Maritime GCC members will strive to meet timelines and deliverables even when there is less than full agreement.



# Maritime Government Coordinating Council (Maritime GCC) Charter

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

The Maritime GCC may create subcommittees, working groups, and other special committees for any purpose consistent with this charter, subject to the approval of the Co-Chairs. Subcommittee and/or working group leadership shall be formally designated by the Co-Chairs with concurrence from at least a majority vote of the members. Such bodies may not work independently of the chartered Council and must report their recommendations to the Maritime GCC for full deliberation and discussion.

Subcommittees and working groups make recommendations to the Maritime GCC, and do not have authority to make decisions on behalf of the Maritime GCC.

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

The Maritime GCC shall participate in CIPAC meetings deemed appropriate by the MGCC Co-Chairs.

### ***Council Participation in CIPAC***

When participating in CIPAC activities, the Council will comply with all requirements defined in the CIPAC Charter, as may be revised from time-to-time, and guidance issued by the CIPAC Designated Federal Officer (DFO)

The Maritime Government Coordinating Council participates in CIPAC activities to the extent the policy interests of the Maritime GCC has a need to be involved in the following priority areas:

- *Maritime Safety*
- *Maritime Security*
- *Maritime Trade, Economics, Investment, Financial Management, and Budgeting*
- *Maritime Environment*

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

CIPAC membership is defined in the CIPAC Charter<sup>4</sup>. Maritime GCC member organizations shall automatically be a CIPAC Member upon notification from CIPAC authorities to the CIPAC DFO via [CIPAC@hg.dhs.gov](mailto:CIPAC@hg.dhs.gov).

A CIPAC Member may have more than one CIPAC Member Representative. The Member Representative's name and contact information shall be added to the CIPAC Attendee Roster upon notification to the CIPAC DFO by the CIPAC Chairperson via [CIPAC@hg.dhs.gov](mailto:CIPAC@hg.dhs.gov).

---

<sup>4</sup> <https://www.cisa.gov/sites/default/files/publications/CIPAC-Charter-Federal-Register-Renewal-Notice-12-14-20.pdf>

## **Maritime Government Coordinating Council (Maritime GCC) Charter**

The procedures for maintaining a CIPAC Member Representative list within the Council are as follows:

- The Maritime GCC Co-Chairs, in consultation with Maritime GCC members, mutually agree on a designated representative to participate in CIPAC activities and report back meeting highlights and any actionable items for the Maritime GCC.
- The Maritime GCC Co-Chairs, in consultation with Maritime GCC members, mutually agree on a designated representative to inform the CIPAC DFO of Member Representatives to maintain a compliant CIPAC Attendee Roster.

### ***Federally Registered Lobbyists***

Per Presidential Policy Memorandum of June 18, 2010 on "Lobbyists on Agency Boards and Commissions," and the revised guidance issued by notice in the Federal Register on August 12, 2014 by the Office of Management and Budget, federally registered lobbyists may serve or otherwise participate on advisory committees and other boards and commissions in the manner provided for in the CIPAC Charter.

Federally registered lobbyists who are SCC member representatives or invited subject matter experts (SMEs) may participate at meetings convened under CIPAC, when functioning in a "representative capacity," such that they are representing the interests of a non-governmental entity or a recognizable group of persons, including, but not limited to, an industry sector, or state and local governments.

### **Article XI - Amendments**

Any amendments to this charter must be presented to the voting members and either adopted or declined in accordance with the Voting Process in Article VI.

### **Article XII - Applicable Law; Bylaws**

The purpose, goals, activities, and decisions contemplated in this charter are and shall at all times remain subject to those Federal laws, regulations, and policies applicable to DOT, MARAD, DHS, and USCG. In the event of any disagreement under this charter, the signatories identified below (or their successors as applicable) and any designees identified in writing to the other party shall coordinate and engage with each other as necessary, to resolve the underlying issues in good faith and a timely manner. The Maritime GCC will develop and formalize bylaws, if needed, which further outline its administration, activities, and conduct. Any such document will be approved as stated in Article VI. All bylaws will be forwarded in a timely manner to the CIPAC DFO.

### **Article XIII - Duration**



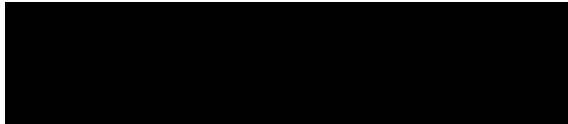
**Maritime Government Coordinating Council  
(Maritime GCC)  
Charter**

This charter takes effect upon receipt of both signatures in Article XIV from the Maritime GCC Co- Chairs, and expires five years henceforth, unless renewed by mutual agreement by the Co-Chairs in writing.

**Article XIV - Approval**

This charter is approved as attested to by the following signature authorities:

**The Honorable Ann C. Phillips**  
Maritime Administrator Maritime Administration  
U.S. Department of Transportation

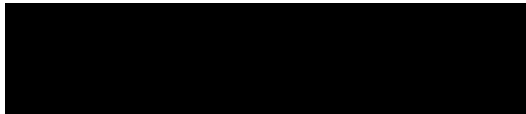


Signature

22 October 2024

\_\_\_\_\_  
Date

**W.R. Arguin**  
Rear Admiral, U.S. Coast Guard  
Assistant Commandant for Prevention Policy  
U.S. Department of Homeland Security



Signature

1 October 2024

\_\_\_\_\_  
Date