



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

**Water Sector
Government Coordinating Council
Charter
November 2014**

OFFICE OF WATER

Article I – Official Designation

The official designation of this Council is the “Water Sector Government Coordinating Council,” herein after referred to as the “GCC.”

Article II – Mission and Purpose

A GCC is formed as the government counterpart for each Sector Coordinating Council (SCC) to enable interagency and cross-jurisdictional coordination. The GCC is comprised of representatives across various levels of government (Federal, State, local or tribal) as appropriate to the security landscape of each individual sector. Each GCC is chaired by a representative from the designated Sector Specific Agency (SSA) with responsibility for ensuring appropriate representation on the GCC and providing cross-sector coordination with State, local, and tribal governments. The DHS Secretary for Infrastructure Protection or his/her designee serves as the vice-chair for the GCC.

Article III – Objectives and Scope of Activity

Consistent with the purpose of GCCs described in the NIPP, this GCC is established to coordinate strategies, activities, policy, and communications across government entities within the water sector. The primary functions of the Water Sector GCC are to:

- Provide interagency strategic communications and coordination at the sector level through partnership with DHS, the SSA, and other supporting state and Federal departments and agencies;
- Participate in planning efforts related to the development, implementation, update, and revision of the NIPP Base Plan and Sector Specific Plans (SSPs);
- Coordinate strategic communications, and issue management and resolution among government entities within the sector;
- Coordinate with and support the efforts of the SCC to plan, implement, and execute the Nation’s Critical Infrastructure/Key Resources (CI/KR) protection mission; and
- Make recommendations on national water security preparedness and resiliency policy

The GCC intends to make recommendations on water sector security preparedness and resiliency issues. The GCC cannot make authoritative or binding decisions.

The GCC intends to be involved in the following specific activities:

- Identifying issues of mutual concern that can benefit from government and public-private coordination and communication. The GCC intends to bring together diverse federal and

state interests to identify and develop collaborative national strategies that advance critical infrastructure protection for the water sector.

- Identifying and assessing ways to improve programs, policies, procedures and strategies relative to the assessments of vulnerabilities of critical infrastructure, emergency operations response plans, and other concerns regarding water sector infrastructure protection.
- Facilitating the sharing of experiences, ideas, best practices, lessons learned and innovative approaches related to critical infrastructure protection. The GCC expects to acknowledge and recognize accomplishments that further the objective.
- Leveraging complementary security efforts and resources within government and between government and other stakeholders that can be utilized to further the development of consistent, sustainable, effective and measurable plans for sector-wide security programs.

Article IV – Membership and Member Representatives

The membership consists of key representatives and influential leaders on water security issues from federal and state governments. Members of the GCC are director-level, or their designated representatives from:

- Department of Agriculture (USDA)
- Department of Defense (DOD)
- Department of Health and Human Services (DHHS)
- Department of Homeland Security (DHS)
- Department of State (DOS)
- Department of Justice, Federal Bureau of Investigation (DOJ/FBI)
- Department of the Interior/Bureau of Reclamation (DOI/BOR)
- Environmental Protection Agency (EPA)
- State and Local Governments
- Environmental Council of States
- National Association of County & City Health Officials
- National Association of Regulatory Utility Commissioners
- Association of State and Territorial Health Officials
- Association of State Drinking Water Administrators
- Association of State and Interstate Water Pollution Control Administrators

The Secretariat will maintain a list serve of Council members and respective representatives, which any member may use as deemed appropriate.

Each member representative will also assign an alternate representative to represent the Council member during the primary representative's absence. The alternate will have decision-making authority as designated by the primary representative as the member deems appropriate for the issues to be presented at a specific meeting. In order to conduct Council business, Member Representatives should have decision-making authorities. The Member shall notify the Council Chairperson, via email, of its representatives and POCs.

Each member has the flexibility to have other representation at meetings other than the official primary and alternates, but must clearly designate the representative's decision-making authority prior to the meeting via email to the SSA Chair.

Subject matter experts are non-voting participants drawn from any organization from which the Council needs expertise on an ad hoc basis.

Article V – Governance and Officers

EPA chairs and DHS vice-chairs the Water GCC. The EPA intends to collect input from other members and initiate or bring issues to the GCC for consideration and deliberation. EPA intends to work to reach closure on issues, working with other council members.

The GCC Secretariat, will provide meeting and organizational support.

The GCC intends to seek support from subject matter experts with interest and expertise in water security and preparedness. Subject matter experts may be drawn from any organization from which the GCC needs on an ad hoc basis.

Disclaimers

With help and support from DHS, all members of the GCC are expected to maintain the appropriate security clearances for discussing and sharing sensitive and classified information. DHS will assist non-federal members with obtaining clearances. Classified and sensitive information is expected to be protected and handled in accordance with appropriate guidelines and legal requirements for information security.

Each member represents a government entity with legal authorities and parameters within which the member must operate. The GCC does not perform governmental functions and the GCC cannot take action on behalf of its member under the auspices of this charter. Members exercise their separate governmental authorities in accordance with applicable laws, regulations, and policies.

As required by the Antideficiency Act, 31 U.S.C. 1341 and 1342, all commitments made by the federal government agencies in this Charter are subject to the availability of appropriated funds. Nothing in this Charter, in and of itself, obligates the United States to expend appropriations or to enter into any contract, assistance agreement, interagency agreement, or incur other financial obligations that would be inconsistent with budget priorities. Non-federal parties (i.e., State governments) and subject matter experts agree not to submit a claim for compensation for services rendered to the United States in connection with any activities they carry out in furtherance of this Charter. This Charter does not exempt non-federal parties and subject matter experts from federal government policies governing competition for assistance agreements. Any transaction involving

reimbursement or contribution of funds between the non-federal and federal parties to this Charter and subject matter experts will be handled in accordance with applicable laws, regulations, and procedures under separate written agreements. Any transaction involving transfers of funds between the federal parties to this Charter will be handled in accordance with applicable laws, regulations, and procedures under separate written agreements.

This Charter does not create any right or benefit, substantive or procedural, enforceable by law or equity, by persons who are not party to this agreement, against non-federal parties, subject matter experts, or the United States, its officers or employees, or any other person. This Charter does not direct or apply to any person outside of the non-federal parties and the United States.

The Water Sector Government Coordinating Council is not a legal entity with powers to enter into contracts, incur liabilities, own or create intellectual property, or otherwise make legally binding commitments of the funds or other assets of the United States.

Article VI – Meetings

The GCC intends to meet two to four times a year in Washington, DC (or an alternate location(s)) or by conference calls, with additionally scheduled joint meetings with the Water SCC, and/or conference calls as needed.

- All member representatives of the GCC should be working towards the same goal and purpose of improving the nation's water security;
- All member representatives of the GCC should make a reasonable effort to attend each meeting;
- Discussion and deliberations should recognize and take advantage of each member's strengths, skills, and perspective;
- Each discussion should be honest and forthright;
- All representatives of the GCC members should maintain a high level of professionalism and discretion regarding the information discussed in meetings;

Article VII – Recordkeeping and Secretariat Support

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

The records for all CIPAC meetings and workgroups shall be handled by the CIPAC Executive Secretariat.

The CIPAC Executive Secretariat, provided by DHS, will provide Critical Infrastructure Partnership Advisory Council (CIPAC) meeting and organizational support to include: coordination for agenda development, support for agency lead on monitoring and closure of issues and initiatives, administrative support, logistics (meeting room facility), and will maintain a communication mechanism for the distribution of CIPAC related communications to the GCC and with the SCC.

Article VIII – Communications

The Council Chairperson will ensure a communication mechanism exists for sharing information among Council membership, and to share information with appropriate counterparts and leadership of the Water Sector Coordinating Council, as applicable.

The Council may develop or choose to rely on the WaterISAC and additional communications mechanisms. These mechanisms may provide additional amounts or types of information.

Article IX – Working Groups and Special Committees

The GCC intends to be supported by a number of subject matter experts (SMEs) with interest and expertise in water security and preparedness. SMEs add value to the group by:

- Providing technical expertise in specific topic areas;
- bringing best practices and lessons-learned from the national water community to the GCC and;
- Authoring materials useful to the workgroup.

SMEs will attend meetings only when their subject matter expertise may be needed. They may sit at the table during GCC meetings; however, their contribution to discussions is strictly limited to provide subject matter expertise. SMEs will not participate in GCC deliberations or recommendation making.

CIPAC working group GCC members and SMEs will be recommended by the GCC and final selection of participants will be determined by the GCC chair.

Article X – CIPAC Membership and Representation

As explained in the current CIPAC Charter, the Secretary of Homeland Security established the CIPAC in March 2006, and exempted the CIPAC from the Federal Advisory Committee Act (FACA).

CIPAC facilitates interaction between government officials and representatives of the community of owners and/or operators for each of the 16 critical infrastructure sectors defined by PPD-21 and identified in NIPP 2013. When participating in CIPAC activities, the Council will comply with all requirements defined in the CIPAC Charter and guidance issued by the CIPAC Designated Federal Officer (DFO) through the CIPAC Executive Secretariat.

CIPAC membership is defined in the CIPAC Charter. GCC member organizations shall automatically be a CIPAC Member upon notification from the Chairperson to the CIPAC DFO via CIPAC@hq.dhs.gov.

A CIPAC Member may have more than one CIPAC Member Representative. The Member Representative's name and contact information shall be added to the CIPAC Attendee Roster upon notification to the CIPAC DFO by the Council Chairperson via CIPAC@hq.dhs.gov.

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

- Council Members will inform the Chair via email of their Member Representatives to participate in CIPAC activities.
- Membership Rosters. The Secretariat will maintain a list serve of Council members, which any member may use as deemed appropriate. The Chair will inform the CIPAC DFO via email of changes and/or updates to the membership rosters on a quarterly basis, or as required.

Federally Registered Lobbyists

No Federally Registered Lobbyist will serve on the Water Sector Government Coordinating Council.

Article XI – Amendments

The Council may at any time amend this Charter by a consensus of the membership. The amended Charter shall be forwarded in a timely manner to the CIPAC DFO for posting on the CIPAC public Website.

Article XII – Duration

The Council will review and assess at least once every 3 years for the adequacy of the Charter. If amended, the Charter shall be in effect from 3 year after the amendment is approved.

Article XIII – Approval

The present Charter shall be ratified by the Council in accordance with their respective processes and fully executed by the signature of the Chair.

Chair Water GCC

David Travers, EPA

Date