

Aviation Government Coordinating Council Charter

1. Official Designation

The official designation of this Council is the “Aviation Government Coordinating Council,” hereinafter referred to as the “AGCC.”

2. Authorities

- Homeland Security Act of 2002, Section 871 (6 U.S.C. 451)
- Presidential Policy Directive PPD-21, Critical Infrastructure, Security and Resilience
- Homeland Security Presidential Directive 16, Aviation Security Policy
- Domestic Outreach Plan, National Strategy for Aviation Security
- 2013 National Infrastructure Protection Plan (NIPP)
- Transportation Sector Government Coordinating Council Charter

3. Background

Presidential Policy Directive/PPD-21, Critical Infrastructure Security and Resilience, identifies 16 critical infrastructure (CI) Sectors, and designates the Department of Homeland Security (DHS) and the Department of Transportation (DOT) jointly as the Sector Specific Agencies (SSAs) of the Transportation Systems Sector (TSS). DHS has designated the Transportation Security Administration (TSA) as its lead component for aviation security issues. DOT has designated the Federal Aviation Administration (FAA) as its lead component for aviation security and safety issues that fall within the FAA’s areas of responsibility and legal authority. The Office of the Secretary is the lead within DOT for all other aviation-related issues. The Transportation Sector Government Coordinating Council (TSGCC) established Sub-Sector Coordinating Councils (Aviation, Highway, Freight Rail, Mass Transit, Maritime and Pipeline). The Aviation Sub-Sector includes aircraft, air navigation services (e.g., air traffic control), approximately 450 commercial airports at which TSA provides security screening resources, and approximately 19,000 additional airfields. This Sub-Sector also includes civil and joint-use civil-military airports, heliports, short takeoff and landing ports, and seaplane bases.

4. Objective

The AGCC coordinates strategies, activities, policy and communications across government entities within the Aviation Sub-Sector. The AGCC acts as the government counterpart to the private industry-led “Aviation Sector Coordinating Council” (ASCC). The Critical Infrastructure Partnership Advisory Council (CIPAC) provides a legal framework that enables members of the SCCs and GCCs to engage in CI protection-related discussions, individually and jointly; however, CIPAC’s exemption from the Federal Advisory Committee Act, (FACA) does not extend to TSGCC and AGCC activities outside of CIPAC. Appropriate agency counsel should be consulted as necessary regarding the applicability of FACA to particular activities.

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5. Scope of Activities

The AGCC accomplishes this objective through, but not limited to, the following means:

- Strengthening interagency strategic communications and coordination on aviation security issues through partnership with DHS, DOT, other supporting agencies across various levels of government, and other aviation stakeholders, including owners and operators (to the extent activities with non-government stakeholders do not seek consensus advice or recommendations on an issue);
- Providing a venue to coordinate interagency interests intended to secure key aspects of the Aviation Sub-Sector, including military operations in the National Airspace System;
- Participating in planning efforts related to the development, implementation, update, and revision of the National Infrastructure Protection Plan (NIPP) and the Sector-Specific Plans (SSPs);
- Coordinating with and supporting the efforts of the ASCC to plan, implement, and execute the Nation's CI security and resilience mission;
- Leveraging relationships with other GCCs, to identify and resolve issues across Sub-Sectors; and
- Providing a mechanism for enhanced international cooperation in support of CI security and resilience activities and initiatives.

6. Membership

The AGCC membership consists of key Federal departments and agencies responsible for or involved in aviation security and safety. The Co-Chairs, or their designees, shall maintain a current roster of the permanent membership of the AGCC.

Voting members. Permanent voting members of the AGCC shall be Senior Executives, or their designees, from:

- Department of Homeland Security
 - Office of Infrastructure Protection (Co-Chair)
 - Transportation Security Administration (Co-Chair)
 - Customs and Border Protection
- Department of Transportation
 - Federal Aviation Administration (Co-Chair)
 - Office of the Secretary
- Department of Justice
 - Federal Bureau of Investigation
- Department of Commerce

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- Department of Defense

Non-voting members. Permanent non-voting members of the AGCC shall be Senior Executives, or their designees, from:

- Department of Homeland Security
 - Domestic Nuclear Detection Office
 - U.S. Coast Guard
 - U.S. Secret Service
- Department of State
- Department of Justice
 - Drug Enforcement Administration
- Office of the Director of National Intelligence
 - Air Domain Intelligence Integration Element
- National Counterterrorism Center
- National Transportation Safety Board
- U.S. Postal Service
- State, Local, Tribal and Territorial GCC

Ad Hoc Participants. With approval of the Co-Chairs, the AGCC may invite officials from other departments, agencies or offices, or from the private sector, to participate on an *ad hoc* basis. *Ad hoc* Council members are non-voting participants with specialized skills or expertise that contribute to the accomplishment of Council objectives. *Ad hoc* membership may be withdrawn at the discretion of the AGCC.

7. Roles and Responsibilities

Co-Chairs. Through delegation from the Department-level SSAs, TSA and FAA are designated Co-Chairs. Additionally, the NIPP stipulates that the DHS National Protection & Programs Directorate Assistant Secretary of the Office of Infrastructure Protection (IP), or his/her designee, will be a Co-Chair of Sub-Sector GCCs. As such, and in accordance with respective agency delegation, the following senior officials are designated as the Co-Chairs of the AGCC:

- TSA's Director of Aviation, Office of Security Policy & Industry Engagement (OSPIE)
- DHS IP's Director of Sector Outreach & Programs Division (SOPD)
- FAA's Director, Office of National Security Programs and Incident Response (AEO)

Administrative and Logistic Support. Support to the AGCC will be provided through collaborative sharing of resources and tasks, as identified by the Co-Chairs. This collaborative approach will also support joint AGCC/ASCC meetings.

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8. Voting Process

A quorum is the presence of four or more of the seven voting members. A quorum of the Council is required to vote on issues that require final determination.

Absentee or proxy ballots are not permitted. A two-thirds majority of the voting members present is necessary to make a decision. Final Council decisions shall be recorded by a formal letter or report signed by the AGCC Co-Chairs. At the request of any Co-Chair, the formal letter or report should also record dissenting opinion(s).

9. Workgroups/Subcommittees

The AGCC may establish subcommittees and/or working groups for any purpose consistent with this charter, subject to the approval of the Co-Chairs. Subcommittee leadership shall be designated by the Co-Chairs. Such subcommittees may not work independently of the chartered Council and must report their recommendations to the AGCC for full deliberation and discussion. Subcommittees have no authority to make decisions on behalf of the AGCC.

10. Number and Frequency of Meetings

The AGCC will meet at least quarterly, with additional scheduled meetings or conference calls to be held as needed. Joint AGCC/ASCC meetings will be held less frequently, and by mutual agreement of the two Councils.

Michael T. Keane
Aviation Director, TSA OSPIE; Co-Chair

Date

Tonya Schreiber
Director, SOPD, DHS IP; Co-Chair

Date

Joshua Holtzman
Director, AEO, FAA; Co-Chair

Date