

HOMELAND SECURITY INFORMATION NETWORK ADVISORY COUNCIL

BYLAWS

Section I: Purpose:

The purpose of the Homeland Security Information Network Advisory Council (HSINAC) is to provide organizationally independent advice and recommendations to the leadership of the Department of Homeland Security, particularly the Director, Office of Operations Coordination (Director) (formerly Director, Homeland Security Operations Center) on the requirements of end users within State, Local, Federal and Tribal governments and the Private Sector regarding the Homeland Security Information Network (HSIN).

The scope of advisory support shall include: operational requirements necessary for effective information sharing and incident management; compatibility and interoperability between the information network and relevant information networks, databases, and resources of other State, Local, Federal, Tribal, and Private Sector entities; and the security, integrity, and safety of the information network resources and contents.

The HSINAC Chair may, from time to time, establish subcommittees under the HSINAC that shall provide additional informed advisory recommendations to the Director via the HSINAC. HSINAC subcommittees shall be composed of HSINAC members and any number of invitees external to the HSINAC as deemed appropriate by the HSINAC Chair subject to the approval of any required funding by the Director or Designated Federal Officer (DFO). All activities of the subcommittees will be in compliance with the Federal Advisory Committee Act (FACA).

Section II: Authority:

The Secretary of the Department of Homeland Security (Secretary) has determined that the establishment of the HSINAC is in the public interest. The HSINAC is subject to the FACA, as outlined in its charter.

Section III: Membership Selection and Appointment:

The HSINAC shall be composed of not more than 20 members as appointed by the Secretary for terms to be defined by the Director. Members will be outstanding within their specialty field and will maintain the degree of experience and depth within their fields that will ensure the Director and DHS leadership is informed of the needs and requirements of the information network users and communities of users. Term length shall generally be 3 years.

Membership includes the responsibility to attend HSINAC meetings in person. DHS reserves the ability to replace any member who is unable to fully participate in HSINAC meetings. Alternate members will not be permitted to represent those individuals appointed by DHS.

Section IV: Meeting Procedures:

The HSINAC will meet twice per year. Meetings will be called by the DFO in consultation with the Chairman according to the following considerations:

- A. Agenda:** The DFO will approve the agenda for all meetings. DHS will distribute the agenda to the members prior to each meeting and will publish an outline of the agenda with the meeting notice in the Federal Register. Items for the agenda may be submitted to the DFO and/or the Chairman by and member of the HSINAC. Items may also be suggested by non-members, including members of the public.
- B. Minutes and Records:** The DFO will prepare minutes of each meeting and will distribute copies to each HSINAC member. Minutes of open meetings will be available to the public upon request, subject to the withholding of matters about which public disclosure would be harmful to the interests of Government, industry, or others, and which are exempt from disclosure under the Freedom of Information Act. The minutes will include a record of the persons present (including the names of HSINAC members, names of staff, and the names of members of the public from whom written or oral presentations were made) and a complete and accurate description of the matters discussed and conclusions reached, and copies of all reports received, issued, or approved by the HSINAC.

All documents, reports, or other materials prepared by, or for, the HSINAC constitute official government records and must be maintained according to DHS policies and procedures.

- C. Open Meetings:** Unless otherwise determined in advance, all meetings of the HSINAC will be open to the public. Once an open meeting has begun, it will not be closed for any reason. All materials brought before, or presented to, the Board during the conduct of an open meeting, including the minutes of the proceedings of an open meeting, will be available to the public for review or copying at the time of the scheduled meeting.

Members of the public may attend any meeting or portion of a meeting that is not closed to the public and may, at the determination of the Chairman, offer oral comment at such meeting. The Chairman may decide in advance to exclude oral public comment during a meeting, in which case the meeting announcement published in the Federal Register will note that oral comment from the public is excluded. In lieu of oral comment, the public will be invited to provide written comments. Members of the public may submit written statements to the HSINAC at any time.

- D. Closed Meetings:** Meetings of the HSINAC will be closed only in limited circumstances and in accordance with applicable law. In addition, requests for closed meetings must be approved by DHS' Office of General Counsel 30 days in advance of the meeting.

Where the DFO has determined in advance that discussions during a HSINAC meeting will involve matters about which public disclosure would be harmful to the interests of the government, industry, or others, and advance notice of a closed meeting, citing the applicable exemptions of the Government in the Sunshine Act, will be published in the Federal Register. The notice may

announce the closing of all or just part of a meeting. If, during the course of an open meeting, matters inappropriate for public disclosure arise, the Chairman will order such discussion to cease and will schedule it for closed session. Notices of closed meetings will be published in the Federal Register at least 15 calendar days prior to the meeting.

Section V: Voting:

When a decision or recommendation of the HSINAC is required, the Chairman will request a motion for a vote. Any member, including the Chairman, may make a motion for a vote. No second after proper motion will be required to bring any issue to a vote.

Section VI: Role of Board Officials:

Chair: The Chair works with the DFO to establish meeting priorities, identify issues which must be addressed, and serve as the focal point for HSINAC membership. In addition, the Chair is responsible for certifying the accuracy of minutes developed by the HSINAC to document its meetings.

Vice-Chair: The Vice-Chair acts for the Chair when he/she is not available and undertakes assignments at the request of the Chair.

Designated Federal Officer: The DFO is responsible for providing adequate staff support to the HSINAC, including the performance of the following functions: (1) Notifying members of the time and place for each meeting; (2) Maintaining records of all meeting, including subcommittee and working group activities; (3) maintaining the roll; (4) Preparing the minutes of all meetings of the Board's deliberations; (5) Attending to official correspondence; (6) Maintaining official HSINAC records as required by FACA and DHS policy; (7) Acting as the HSINAC's agent to collect, validate, and pay for pre-approved expenditures; and, (8) Preparing and handling all reports, including the annual report, as required by FACA.

Section VII: Expenses and Reimbursements: The government will pay travel and per diem for members of the HSINAC.

Section VIII: Additional Information

The DHS Committee Management Office (CMO), in conjunction with the Executive Director, Homeland Security Advisory Committees, is responsible for oversight of DHS advisory committees. The CMO will provide advice as needed to the HSINAC.