

# UNITED STATES DEPARTMENT OF HOMELAND SECURITY

## NATIONAL ADVISORY COUNCIL

### **1. Committee's Official Designation:**

The National Advisory Council.

### **2. Authority:**

Title 6, United States Code, Section 318 directs the Secretary of Homeland Security to establish the National Advisory Council. The NAC is established in accordance with and shall operate under the provisions of the *Federal Advisory Committee Act* (FACA), (Title 5, United States Code, Appendix).

### **3. Objectives and Scope of Activities:**

The NAC shall advise the Administrator of the Federal Emergency Management Agency (FEMA) on all aspects of emergency management. The National Advisory Council shall incorporate State, local and tribal government and private sector input in the development and revision of the national preparedness goal, the national preparedness system, the National Incident Management System, the National Response Plan, and other related plans and strategies.

### **4. Description of Duties:**

The duties of the NAC are solely advisory in nature.

### **5. Officials to Whom the Committee Reports:**

The NAC reports to the Administrator of FEMA.

### **6. Agency Responsible for Providing Necessary Support:**

FEMA shall be responsible for providing financial and administrative support to the NAC.

### **7. Estimated Annual Operating Costs and Staff Years:**

The annual operating cost associated with supporting the NAC's functions are estimated to be \$1 million per year, including all direct and indirect expenses. Two FTEs will be required to support the NAC.

## **8. Designated Federal Officer:**

A full-time or permanent part-time employee of FEMA shall be appointed as the NAC Designated Federal Officer (DFO). The DFO or his/her designee shall approve or call the meeting of the NAC or any of its subcommittees; approve the agenda of all meetings; attend all committee and subcommittee meetings; adjourn any meeting when he or she determines it to be in the public interest; and, chair meetings when directed to do so by the Administrator.

## **9. Estimated Number and Frequency of Meetings:**

The NAC will meet in plenary session approximately once per quarter. With respect to the quarterly meetings, it is anticipated that the NAC will hold at least one teleconference meeting with public call-in lines. Members may be reimbursed for travel and per diem, and all travel for NAC business must be approved in advance by the DFO. Committee meetings shall be open to the public unless a determination is made by the appropriate DHS official in accordance with DHS policy and directives that the meeting should be closed in accordance with subsection (c) of section 552b of title 5, United States Code.

## **10. Duration**

Continuing.

## **11. Termination:**

Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the NAC. This charter shall be in effect for two years from the date it is filed with Congress and must be renewed in accordance with section 14(b) of FACA.

## **12. Member Composition:**

The NAC shall consist of up to thirty-five members appointed by and serving at the pleasure of the Administrator. To the extent practicable, the members shall be drawn from a geographic (including urban and rural) and substantive cross-section of officials, emergency managers, and emergency response providers from State, local, and tribal governments, the private sector, and nongovernmental organizations, as follows:

- Three members representing the interests of the emergency management field and three members representing emergency response providers. These members are to represent the viewpoint of the interest sectors indicated and are not Special Government Employees as defined in section 202(a) of Title 18, United States Code.
- One member drawn from among the community of health scientists, one member drawn from among the community of emergency medical providers, one member drawn among the community of inpatient medical providers, and one drawn from among the community of public health professionals. These members bring their expertise and experience to the Council and shall serve as Special Government Employees as defined in section 202(a) of Title 18, United States Code.
- Two members from the Federal, State, local and tribal governments and the private sector representing standard-setting and accrediting organizations with expertise in the emergency preparedness and response field. These members shall include experts

from the voluntary consensus codes and standards development community. These members are to represent the viewpoint of the subject organizations and are not Special Government Employees as defined in section 202(a) of Title 18, United States Code.

- One member representing State governments. This member shall be drawn from State government officials, expressly including, but not limited to, Adjutants General, with expertise in preparedness, protection, response, recovery, or mitigation. This member is to represent the interests of State governments and is not a Special Government Employee as defined in section 202(a) of Title 18, United States Code.
- One member representing local governments. This member shall be drawn from local government officials with expertise in preparedness, protection, response, recovery, or mitigation. This member is to represent the viewpoint of the interests of local governments and is not a Special Government Employee as defined in section 202(a) of Title 18, United States Code.
- One member representing tribal governments. This member shall be drawn from tribal government officials with expertise in preparedness, protection, response, recovery, or mitigation. This member is to represent the viewpoint of the interests of tribal governments and is not a Special Government Employee as defined in section 202(a) of Title 18, United States Code.
- One member representing executives of State governments. This member shall be drawn from elected State government officials. This member is to represent the viewpoint of the interests of State governments and is not a Special Government Employee as defined in section 202(a) of Title 18, United States Code.
- One member representing executives of local governments. This member shall be drawn from elected local government officials. This member is to represent the viewpoint of the interests of local governments and is not a Special Government Employee as defined in section 202(a) of Title 18, United States Code.
- One member representing executives of tribal governments. This member shall be drawn from elected tribal government officials. This member is to represent the viewpoint of the interests of tribal governments and is not a Special Government Employee as defined in section 202(a) of Title 18, United States Code.
- One (1) member drawn from among the public and private community of individuals with experience in infrastructure protection, one member drawn from among the public and private community of individuals with experience in cybersecurity, and one member drawn from among the public and private community of individuals with experience in communications. These members bring their expertise and experience to the Council and shall serve as Special Government Employees as defined in section 202(a) of Title 18, United States Code.
- One member drawn from among the community of disabled individuals to represent disabled individuals, and one member with expertise in functional accessibility. Each member represents the interests of his or her community and is not a Special Government Employee as defined in section 202(a) of Title 18, United States Code.
- Other such individuals as the Administrator determines to be appropriate. The appropriate membership designation for each member in this category will be determined at the time of appointment by Department ethics officials.

In the selection of members who are health or emergency medical service professionals, the Administrator shall work with the Secretary of Health and Human Services and the Secretary of Transportation. The Administrator shall designate one or more officers of the Federal

Government to serve as *ex officio* members. A member of the Homeland Security Advisory Council with expertise in Emergency Response shall be designated as an *ex officio* member. Members designated as *ex officio* will be entitled to vote on council business.

The term of office of each member shall be three years. Of the members initially appointed to the NAC, one-third shall be appointed for a term of one year; and one-third shall be appointed for a term of two years and one-third will be appointed for the full three-year term.

A member appointed to fill an unexpired term shall serve the remainder of that term. In the event that the NAC terminates, all appointments to the NAC shall terminate.

### **13. Officers:**

The Administrator shall appoint one member of the NAC as the Chair and one member as Vice-Chair. The Vice-Chair will act as Chair in the absence or incapacity of the Chair or in the event of a vacancy in the office of the Chair. The term of office of the Chair and Vice Chair will be one year, and members may serve more than one term.

### **14. Subcommittees:**

The National Advisory Council may establish subcommittees for any purpose consistent with this charter with the final approval of the Administrator. Such subcommittees may not work independently of the chartered committee and must report their recommendations and advice to the National Advisory Council for full deliberation and discussion. Subcommittees have no authority to make decisions on behalf of the National Advisory Council and may not report directly to the Federal Government or any other entity.

### **15. Recordkeeping:**

The records of the NAC, formally and informally established subcommittees or other subgroups of the Council, shall be handled in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, in accordance with the *Freedom of Information Act* (Title 5, United States Code, section 552).

### **16. Filing Date:**

March 2, 2011  
Agency Approval Date

March 9, 2011  
GSA Consultation Date

March 10, 2011  
Date Filed with Congress