

USCG SECTOR DELAWARE BAY

Area Maritime Security Committee Charter

As adopted 28 March 2007

1. Mission and Purpose: The Area Maritime Security (AMS) Committee for USCG Sector Delaware Bay is a partnership of Federal, State and local law enforcement and intelligence organizations; governmental, regulatory, public safety and emergency management agencies; organized labor; commercial and recreational waterway users; and, public and private sector stakeholders who are committed to improving the security of the maritime transportation system in the USCG Sector Delaware Bay area of responsibility (AOR).¹ Committee members will apply their unique skills and perspectives to assist and advise the Federal Maritime Security Coordinator (FMSC)² in the development, review, and update of the Sector's Area Maritime Security (AMS) Plan; act as a link in communicating security threats and changes in MARSEC levels; recommend appropriate risk management strategies to reduce security vulnerabilities in this Sector's maritime transportation system (MTS) and to expedite the recovery of the MTS in the event of a transportation security incident (TSI)³; and assist in the development of and, as appropriate, participate in maritime security related exercises. In carrying out this mission, the AMS Committee shall take notice of the guidance in USCG Navigation and Vessel Inspection Circular (NVIC) 9-02, Change 2 of 27 October 2005, and other relevant DHS or USCG directives that may be developed in the future. AMS Committee members will take due diligence to prevent the unauthorized disclosure of classified, sensitive security and/or commercially proprietary information.

2. Organization: The AMS Committee for USCG Sector Delaware Bay consists of an Executive Director, an Executive Secretary, an AMS Committee Chairperson and Vice Chairperson, a Managing Board, five standing Subcommittees: Law Enforcement; Incident Management; Training and Exercise; Port Business Operations; and Port Readiness; and such number of other standing or *ad hoc* Subcommittees as may be duly established by the procedures specified in this Charter. AMS Committee General Meetings, Managing Board Meetings and Subcommittee meetings shall be conducted in general conformity with recognized parliamentary procedures, such as those in Roberts Rules of Order.

2.1 Executive Director: The Executive Director is the FMSC. The Executive Director is ultimately responsible for ensuring the AMS Committee fulfills its mission and purpose, and adheres to the terms and conditions of this Charter. The Executive Director is a non-voting member of the Managing Board. The Executive Director is the sole individual that will communicate AMS Committee recommendations or actions up the Coast Guard or DHS chain of command. The Executive Director will ensure continuing USCG administrative and logistical support of the AMS Committee by appointing an Executive Secretary.

2.2 Executive Secretary: The Executive Secretary is a Coast Guard member appointed from the Sector's Operational Planning & Force Readiness Department. The Executive Secretary is responsible for the administrative and logistical support of the Committee, including coordinating meetings, ensuring adequate record keeping, properly designating and protecting SSI or commercially proprietary information, ensuring the currency of the AMS Plan, and other tasks properly assigned by the Executive Director or Chairperson.

¹ Sector Delaware Bay AOR is defined in 33 CFR 3.25-05

² Pursuant to 33 CFR 103.200, COTPs are designated FMSCs for their respective COTP zones

³ A TSI is defined in 46 USC § 70101(6)

2.3 AMS Committee Chairperson and Vice Chairperson: The Chairperson and Vice Chairperson shall be non-Coast Guard members of the AMS Committee nominated by a Committee member and elected by majority vote of a duly constituted quorum of Committee members. The Chairperson and Vice Chairperson shall serve one-year terms, and may be re-nominated and re-elected for successive terms. Insofar as practicable, when the Chairperson is a representative of a governmental entity, the Vice Chairperson shall be a representative from the private sector or non-governmental entity, and vice versa. The Chairperson shall be responsible for developing the agendas for both AMS Committee general meetings and Managing Board meetings. The Chairperson shall ensure that the AMS Committee is operated in accordance with the terms and conditions of this Charter, the Executive Director is kept timely apprized of the Committee's activities and recommendations, and that written minutes of Managing Board meetings are completed and provided to the Executive Director and Managing Board members within 10 business days after such meetings via CG Homeport. The Vice Chairperson shall assist the Chairperson in the performance of these duties, and shall serve as Chairperson in the absence or incapacitation of the Chairperson.

2.4 Managing Board Members: There shall be an AMS Committee Managing Board consisting of the Executive Director, Chairperson and Vice Chairperson, a designated representative from New Jersey, Pennsylvania, and Delaware, the Chairpersons (or Vice Chairpersons) of the various standing Subcommittees, and three non-governmental members chosen by the Managing Board from among the general Committee membership. The Executive Director is a permanent non voting member of the Managing Board, and the other members' terms on the Board coincide with their respective term lengths (if no specific term length is specified elsewhere in this Charter, that period shall be no more than one year). The Managing Board is responsible for ensuring the AMS Committee fulfills its mission and purpose. Specifically, it reviews and comments on recommendations or issues submitted by the various Standing or *ad hoc* Subcommittees; it may task the various Standing or *ad hoc* Subcommittees to examine or research particular issues within the Subcommittees' area of expertise and develop recommendations for action; establish timelines there for; and, it shall establish the agenda and time for Managing Board and General Meetings. Recommendations of the Managing Board may be adopted by majority vote of a duly constituted quorum, which consists of a majority of the Board's voting members.

2.5 Standing Subcommittees: Standing Subcommittee members shall elect one member to Chair their Subcommittee. The Chairperson shall serve a term of one year, and may be re-elected for a subsequent term. Each standing Subcommittee may develop their own standards for what constitutes an acceptable voting quorum. The Chairperson is responsible for ensuring that the Subcommittee is operated in accordance with the provisions of this Charter and in furtherance of its Mission and Purpose. The Chairperson is also responsible for keeping record of, and communicating the Subcommittee's deliberations to the Managing Board. The Chairperson shall choose a Vice Chairperson from the membership of that Subcommittee, to serve in his/her absence during the term of the Chairperson's office. The Subcommittee Chairperson shall ensure that the AMSC Chair and Vice Chair are kept apprized of all meetings and activities of the subcommittee in order that guidance from the AMSC Managing Board can be provided when needed.

Subcommittee members shall be drawn from the agencies, organizations, businesses or groups identified in the respective Subcommittee descriptions. Persons may volunteer for service, or be nominated by current members of the Sector AMS Committee. Each Subcommittee may develop its own rules for conferring membership, provided they are not inconsistent with the provisions of this Charter. In cases where a Subcommittee has only one representative from a particular agency, organization, or business segment, that representative shall endeavor in good faith to represent the interests of all other members of that particular agency, organization or business segment. To ensure continuity and productivity, member agencies, organizations and businesses shall endeavor to have the

same person represent them at each meeting. Each Subcommittee shall determine its own procedures for substituting representatives and for determining the length of service of each member.

From time to time it may be desirable to add or delete agencies, organizations, business segments or groups to a particular Subcommittee. Subcommittee Chairpersons shall, upon concurrence of their members, forward a recommendation for addition or deletion of an agency, organization, business segment or group to the Managing Board for approval.

2.5.1 Law Enforcement & Intelligence Subcommittee:

This Subcommittee may consist of representatives from, but not limited to, the following agencies:

- Federal Bureau of Investigation
- US Attorney's Office
- Immigration and Customs Enforcement
- Customs and Border Protection
- Transportation Security Administration
- USCG
- DHS
- DRBA, PRPA, DRPA police
- SEPTA
- NJ, PA, DE State Police and Fish & Wildlife representatives
- municipal police departments from NJ, PA and DE
- JTTF and UASI reps
- NJ, PA, DE Homeland Security Agencies
- Civil Air Patrol

The Law Enforcement and Intelligence Subcommittee is responsible for:

- providing the Committee with relevant, timely law enforcement, intelligence and security information
- providing technical assistance for conducting vessel and waterfront facility security assessments
- recommending port security enhancement strategies that are realistic and commensurate with expected risks (e.g. establishing security zones, tightening access to facilities, etc.)
- as appropriate, ensuring that security measures required by law, or recommended by the Committee, are timely and correctly implemented
- assisting the Committee in reviewing and updating the Sector AMS plan
- aiding in security exercise design and participating in exercises
- acting as a link in communicating security threats and changes in MARSEC levels
- promoting inter-agency operability

2.5.2 Port Business Operations Subcommittee:

This Subcommittee may consist of representatives from, but not limited to, the following groups:

- break bulk and general cargo terminal operators
- container terminal operators
- ship repair and dry dock facility operators
- petroleum/liquid bulk terminal operators
- railroad industry representatives
- ship agents
- pilots' associations
- dockworker and maritime union representatives

- trucking industry representatives
- US Army, Corps of Engineers
- seafarer advocacy organizations
- Maritime Exchange representatives
- port facility landlords (i.e. DSPC, PRPA, SJPC, etc)
- deep draft vessel operators
- small passenger vessel operators
- towing vessel operators
- recreational boating & marina representatives
- planning commissions
- USCG
- CBP
- regional academic community

The Port Business Operations Subcommittee is responsible for:

- providing the Committee with relevant, timely information concerning the security status of terminals/vessels/waterfront infrastructure
- as appropriate, ensuring that security measures required by law, or recommended by the Committee, for terminals/ vessels/ waterfront infrastructure are timely and correctly implemented
- keeping abreast of other Port's "Best Practices" that may be of value for Sector Delaware Bay
- assisting relevant law enforcement and regulatory agencies in conducting security assessments (taking due regard to protect classified and/or commercially proprietary information) of terminals/facilities/vessels/critical waterfront infrastructure
- assisting the Committee in reviewing and updating the Sector AMS Plan
- aiding in security exercise design and participating in exercises
- acting as a link in communicating security threats and changes in MARSEC levels

2.5.3 Consequence Management Subcommittee:

This Subcommittee may consist of representatives from, but not limited to, the following groups:

- State, County and Local Emergency Management Agencies
- State Homeland Security/Domestic Preparedness Agencies
- State and local Environmental Management Agencies
- FEMA Regions II and III
- EPA Regions II and III
- Facility security officers & vessel security officers
- Wildlife advocacy organizations
- Tri-State Marine Safety Association
- Local Firefighting organizations
- National Guard Civil Support Teams

The Incident Management Subcommittee is responsible for:

- providing the Committee with relevant, timely information concerning the readiness of relevant agencies to safely respond to transportation security incidents (TSIs)
- recommending plans, practices and procedures to safely respond to, mitigate the effects of, and recover from TSIs
- developing and conducting relevant exercises and training designed to improve the Tri-State region's ability to handle TSIs

- keeping abreast of other AMS Committee’s and First Responders’ “Best Practices” that may be of value for Sector Delaware Bay
- ensuring that our AMS Plan is compatible with existing Emergency Response/Incident Management Plans
- assisting the Committee in reviewing and updating the Sector AMS Plan
- aiding in security exercise design and participating in exercises
- acting as a link in communicating security threats and changes in MARSEC levels

2.5.4. Port Readiness Subcommittee:

The Port Readiness Subcommittee may consist of representatives from, but not limited to, the following groups:

- USCG
- CBP
- Military Sealift Command
- State, County and local Law Enforcement organizations
- ship agents
- Pilots Association
- tug & tows vessel operators
- waterfront facilities handling military cargo
- DRMEC
- US Army SDDC

The Port Readiness Subcommittee is responsible for:

- providing the Committee with relevant, timely information concerning military vessel security and waterfront facility security issues that could affect the safe and secure movement of military cargo
- as appropriate, ensuring that vessel security measures required by law, or recommended by the Committee, are timely and correctly implemented
- keeping abreast of other Port Readiness Committees’ “Best Practices” that may be of value for Sector Delaware Bay
- assisting the Committee in reviewing and updating the Sector AMS Plan
- aiding in security exercise design and participating in exercises
- acting as a link in communicating security threats and changes in MARSEC levels

2.5.5. Training and Exercise Subcommittee:

The Training and Exercise Subcommittee may consist of representative of the following groups:

- State, County, and Municipal Emergency Management agencies
- State, County, and Municipal First Responder organizations
- State, County and Municipal Law Enforcement agencies
- State Environmental Management agencies
- Local planning commissions
- DHS
- FEMA Regions II & III
- EPA Regions II & III
- Waterfront facility owners/operators, including facility landlords, e.g., PRPA, DRPA, SJPC
- Tri State Marine Safety Association
- Shipping industry reps
- Regional academic community

The Training and Exercise Subcommittee is responsible for:

- developing and conducting relevant exercises and training designed to improve the Tri-State region's ability to handle TSIs
- keeping abreast of other AMS Committees' and First Responders' "Best Practices" that may be of value for Sector Delaware Bay
- ensuring that our AMS Plan is compatible with existing Federal State and local Emergency Response/Incident Management Plans
- coordinating exercises and training with other Emergency Management agencies and First Responder organizations to bolster their familiarity with the maritime domain
- assisting the Committee in reviewing and updating the Sector AMS Plan
- acting as a link in communicating security threats and changes in MARSEC levels

2.5.6. Ad Hoc Subcommittees: *Ad Hoc* Subcommittees are temporary subcommittees that may be established for a limited period of time to deal with issues that are not directly within the scope of one of the various standing Subcommittees, or for which specialized attention must be made. *Ad Hoc* Subcommittees may be established upon recommendation by the Executive Director or standing Subcommittee members and approval of the Managing Board in accordance with the appropriate provisions of this Charter.

3. Frequency of Meetings: General AMS Committee meetings (i.e., Managing Board members and all Subcommittee members) shall be held at least Quarterly. As far as is practicable, Quarterly meeting dates shall be set well in advance to encourage maximum attendance. The Executive Secretary is responsible for communicating the dates of Quarterly meetings to the AMS Committee membership. The purpose of General AMS Committee meetings is to share information relevant to the mission and purpose of the Committee, enable members to introduce and vote on motions, provide updates on taskings and projects, and conduct such Committee business as deemed necessary and appropriate.

Managing Board meetings (i.e., the persons identified in paragraph 2.4) shall be held at least bi-monthly. The purpose of Managing Board is to review and vote on motions raised by the general membership, monitor the progress of the various Subcommittees on their respective projects and taskings, and provide such guidance as may be necessary for them to effectively and efficiently carry out those taskings and projects, and to carry out the functions of the Managing Board prescribed in paragraph 2.4.

Standing Subcommittees and *Ad Hoc* Subcommittees shall meet as often as their respective members deem necessary to carry out their business. Subcommittee Chairpersons are responsible for scheduling their respective subcommittee meetings.

4. Meeting Rules and Organization: The respective Chairpersons are responsible for ensuring that Managing Board, General Committee and Subcommittee meetings are all run in general conformity with Parliamentary Procedure and Robert's Rules of Order. Minutes shall be maintained of all meetings and shall include, at minimum, the date of the meeting, the list of attendees, a synopsis of items discussed and any recommendations, future action items or accomplishments. Minutes shall be completed not later than 10 business days after the conclusion of the meeting. Minutes shall be made available to all members (taking due regard for protecting classified or commercially proprietary information) when completed. Questions concerning classified or commercially proprietary information that can not be resolved at the individual Subcommittee level shall be referred to the Executive Secretary for resolution.

Any AMS Committee member may make a motion for action by the Committee at a General Committee meeting. For actions that require approval of the General Committee membership, a voting quorum consists of not less than 60% of the General Committee membership.

Members of the general public may attend General Committee meetings as observers upon the approval of the Managing Board, and may attend Subcommittee meetings as observers upon the approval of the cognizant Subcommittee Chairperson and concurrence of the Managing Board.

For actions that require approval of a Subcommittee membership, each Subcommittee shall establish their own quorum requirements.

For actions that require the approval of the Managing Board, the procedures in paragraph 2.4 shall apply.

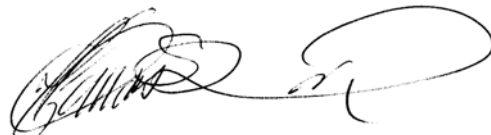
5. Amendments to Charter: To remain effective, it is recognized that this Charter may have to be periodically amended. Any permanent General Committee member may submit a recommendation for amendment to the Managing Board. The Managing Board shall evaluate the merits of the recommended amendment. If a majority of a quorum of the Managing Board deem the recommendation meritorious, the recommendation will be adopted.

AMSC Executive Secretary:

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Forwarded for committee consideration.



T. E. Warwick
Executive Secretary

Date forwarded: 15 March 2007

Committee Action: Task accepted by the committee.



D.L. SCOTT
Executive Director

Date: 28 March 2007