**DEPARTMENT OF HOMELAND SECURITY DATA PRIVACY AND INTEGRITY ADVISORY COMMITTEE CHARTER**
**(Revised Charter)**

**PURPOSE**. This charter establishes the Department of Homeland Security (DHS) Data Privacy and Integrity Advisory Committee ("the Committee"), which is established under the authority of the Homeland Security Act, P.L. 107-296, and shall operate in accordance with the provisions of the Federal Advisory Committee Act (FACA) (5 U.S.C. App. 2).

**SCOPE AND OBJECTIVES**. The Committee will advise the Secretary of DHS (hereinafter "the Secretary") and the Chief Privacy Officer of DHS (hereinafter "the Chief Privacy Officer") on programmatic, policy, operational, administrative, and technological issues within the DHS that affect individual privacy, as well as data integrity and data interoperability and other Privacy-related matters, and shall recommend procedures that:

(A) Limit the re-dissemination of information to ensure that it is not used for an unauthorized purpose;

(B) Ensure the security and confidentiality of information;

(C) Protect the constitutional and statutory rights of any individuals who are subjects of such information;

(D) Provide data integrity through timely removal and destruction of obsolete or erroneous names and information;

(E) Monitor the use of data between DHS systems and between DHS systems and other Federal, state and local systems.

In particular, the Committee shall:

(A) Provide advice on electronic data systems used by the Department, in order to enhance privacy protocols in use by the Department.

(B) Recommend conditions to protect the use of information by the Department, such as:

1) Advising on appropriate lengths of data retention;

2) Advising on use limitations;

3) Advising on methods of enhancing accuracy, security, and confidentiality of such information;

4) Ensuring data integrity through the timely removal and destruction of obsolete or erroneous names and information;

5) advising on mechanisms to protect the privacy rights of any individuals who are subject to such information collection, such as access and redress mechanisms;

6) considering the above objectives, while still protecting the sources and methods used to acquire intelligence information as required by section 103(c)(6) of the National Security Act of 1947 (50 U.S.C. 403-3(c)(6)).

**DUTIES**. The Committee will be responsive to specific assignments, and may conduct studies, inquiries, workshops and seminars in consultation with individuals and groups in the private sector and/or other governmental entities.

**DURATION**. The duration of the Committee shall be continuing.

**OFFICIAL TO WHOM COMMITTEE REPORTS**. The Committee reports to the Secretary, through the Chief Privacy Officer.

**SPONSOR AND SUPPORT SERVICE**. The Chief Privacy Officer is the Sponsor of this Committee. The Chief Privacy Officer shall designate an Executive Director who shall manage the Committee and provide such clerical, administrative and logistical support as necessary for the Committee to efficiently conduct its business. The Executive Director shall ensure the Committee complies with the requirements of this Charter, relevant Federal regulations, and Departmental policy on committee management.

**MEMBERSHIP**. The Committee shall consist of not less than twelve members appointed by the Secretary. The members shall be specially qualified to serve on the Committee by virtue of their education, training, or experience, and who are recognized experts in the fields of data protection, privacy, interoperability, and/or emerging technologies. Membership shall be balanced among individuals from the following fields:

(A) Individuals who are currently working in the areas of higher education or research in public (except Federal) or not-for-profit institutions;

(B) Individuals currently working in non-governmental industry or commercial interests, including at least one representative of a small to medium enterprise;

(C) Other individuals, as determined appropriate by the Secretary;

The Secretary may require any individual to have an appropriate security clearance before appointment to membership on the Committee.

**TERM OF OFFICE**. The term of each member shall be for a period of 4 years, except as otherwise provided in this subsection. To promote continuity and ensure a broad range of participation, one third of initial appointees shall serve a term of two years, one third of initial appointees shall serve a term of three years, and one third of initial appointees shall serve a term of four years. Thereafter, appointments to the Committee shall be for terms of four years. A vacancy in the Committee shall not affect its powers. A replacement shall be selected in the same manner in which the original appointment was made.

**APPOINTMENT OF OFFICERS**. The Sponsor shall annually designate a Chairperson and Vice-Chairperson from among the appointed members of the Committee. The Chairperson serves as the presiding officer of the Committee who leads Committee meetings and guides its efforts to the effective completion of its assigned tasks. The Chairperson shall adhere to the Charter, and such other rules of order and operating procedures as the Committee may adopt, maintain order, and conduct each meeting in accordance with the prescribed rules and procedures. The Vice Chair-person shall assume and perform the duties of the Chairperson in the event the Chairperson is absent or unavailable.

**SUBCOMMITTEES**. The Executive Director may establish subcommittees with the approval of the Sponsor. The Executive Director may designate members from either the Committee or the public to serve on subcommittees. The subcommittee Chairperson shall be a Committee member.

**EXECUTIVE DIRECTOR**. The Executive Director shall be a full time salaried employee of DHS, and will perform the duties set forth in Sections 10(c) and (e) of the Federal Advisory Committee Act. The Executive Director will furnish managerial, administrative, and staff support to the Committee, including:

(A) Developing agenda items, in consultation with the Chairperson;

(B) Preparing recommendations and resolutions, which reflect the determination of the Committee on substantive issues as required;

(C) Developing plans for the activities of the Committee and Subcommittees;

(D) Notifying members of Committee meetings and agenda items; and

(E) Maintaining records of Committee activities and disseminating information in accordance with applicable statutes, resolutions or instructions.

**MEETINGS**. The Secretary shall call a Committee meeting at least once each calendar year. The Executive Director may call such additional meetings as may be necessary for the Committee to effectively carry out its business. Timely notice of each meeting shall be published in the Federal Register, and other means that may be established by the

Executive Director. Meetings shall be open to the public, except when closed in accordance with section 10(a)(2) of FACA. Each meeting shall be conducted in the presence of the Executive Director. The Executive Director is authorized to adjourn any meeting whenever, in the Executive Director's judgment, the meeting does not serve the public interest.

**COMMITTEE ORGANIZATION AND OPERATION.** The Committee shall be organized and operated in general conformity with parliamentary procedures and Robert's Rules of Order. The Executive Director shall develop written procedures for: calling meetings; establishing a quorum; voting; raising, adopting or rejecting proposals; establishing Sub-committees; dealing with Classified and Sensitive Security Information; and, such other administrative activities as may be necessary to effectively and efficiently carry out the Committee's business.

**REPORTS, RECORDS, AND COMMITTEE MEETING MINUTES**. The Committee shall submit such reports as may be required by current or future legislation to the Secretary or the Chief Privacy Officer. At the end of each calendar year, the Executive Director shall prepare a report to the Secretary and the Chief Privacy Officer, summarizing all Committee activities, including any pertinent background material. The Executive Director shall provide the Sponsor with minutes of each Committee meeting. The minutes shall contain a record of all persons present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued or approved by the Committee. The Chairman and Executive Director shall certify the accuracy of the minutes. Subject to 5 U.S.C. 552, the records, reports, transcripts, minutes, appendices, working papers, drafts, studies, agenda, or other documents that were available to, or prepared for the Committee, shall be available for public inspection at a single location at the Sponsor's office, so long as the Committee exists.

**COMPENSATION FOR MEMBERS**. Committee members shall serve without compensation. Committee members who are not officers or employees of the Federal government are, while attending meetings or otherwise engaged in Committee business, authorized travel and subsistence or per diem allowances (as appropriate) in accordance with Federal Government regulations. All travel by individual members when engaged in official Committee business shall be approved in advance by the Executive Director.

**OPERATING COSTS**. Operating costs shall be borne by the Sponsor. The annual cost is estimated to be $200,000.

**FILING DATE**. April 26, 2004. This Charter shall expire in two years unless sooner terminated or extended.