U.S. DEPARTMENT OF COMMERCE
National Institute of Standards and Technology
Charter of the
Information Security and Privacy Advisory Board

1. **Committee's Official Designation (Title).** Information Security and Privacy Advisory Board (the Board).

2. **Authority.** In accordance with 15 U.S.C. 278g-4, the Secretary of Commerce hereby re-charters the Information Security and Privacy Advisory Board, pursuant to the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App.

3. **Objectives and Scope of Activities.** The Board will identify emerging managerial, technical, administrative, and physical safeguard issues relative to information security and privacy. The Board will advise the National Institute of Standards and Technology (NIST), the Secretary of Homeland Security, and the Director of the Office of Management and Budget (OMB) on information security and privacy issues pertaining to federal government information systems, including thorough review of proposed standards and guidelines developed by NIST.

4. **Description of Duties.** The Board will function solely as an advisory body, in accordance with the provisions of the Federal Advisory Committee Act, as amended, 5 U.S.C. App. The Board will not act in the absence of a quorum, which shall consist of seven members.

5. **Agency or Official to Whom the Committee Reports.** The Board shall report to the Director of NIST. The Board reports annually to the Secretary of Commerce, the Secretary of Homeland Security, the Director of OMB, the Director of the National Security Agency, and the appropriate committees of Congress.

6. **Support.** To provide the staff services necessary to assist the Board in carrying out its functions, the Board will utilize personnel from NIST and may utilize personnel from any other agency of the federal government with the consent of the Head of such agency.

7. **Estimated Annual Operating Costs and Staff Years.** The annual operating costs associated with supporting the Board's functions are estimated to be $200,000 per year, including all direct and indirect expenses. It is estimated that 1.0 FTE will be required to support the Board.

8. **Designated Federal Officer (DFO).** A full-time employee will be appointed in accordance with agency procedures and will serve as the DFO. The DFO will approve or call all of the Board's meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the Director of NIST.

9. **Estimated Number and Frequency of Meetings.** The Board holds open, public meetings approximately three or four times during the fiscal year.

10. Duration. Continuing.

11. Termination. This charter shall terminate two years from its filing with the appropriate U.S. Senate and House of Representatives Oversight Committees unless earlier terminated or renewed by proper authority.

12. Membership and Designation. The Director of NIST will appoint the members of the Board, and members serve at the discretion of the NIST Director. Members will be selected on a clear, standardized basis, in accordance with applicable Department of Commerce guidance.

a) The Board will consist of a total of twelve members and a Chairperson. The Director of NIST shall appoint the chairperson of the Board. The Board shall be composed of twelve additional members appointed by the Director of NIST.
b) The Director of NIST shall designate a vice chairperson from among the twelve other members. The vice chairperson shall perform the duties of the chairperson in the event the position of chairperson is vacant, or the chairperson is absent.
c) The Board members are selected for their preeminence in the information technology industry, or related disciplines. The Board will include four members from outside the federal government who are eminent in the information technology industry, at least one of whom is representative of small or medium sized companies in such industries; four members from outside the federal government who are eminent in the fields of information technology, or related disciplines, but who are not employed by or representative of a producer of information technology; and four members from the federal government who have information system management experience, including experience in information security and privacy, at least one of whom shall be from the National Security Agency.
d) Members of the Board, other than full-time employees of the federal government, will not be compensated for their services, but will, upon request, be allowed travel expenses pursuant to 5 U.S.C. 5701 et seq., while otherwise performing duties at the request of the Board Chairperson, while away from their homes or a regular place of business.
e) Members of the Board who are not full-time officers or employees of the United States will serve as Special Government Employees.
f) The term of office for each member of the Board shall be four years. Any member appointed to fill a vacancy on the Board shall serve for the remainder of the term for which his predecessor was appointed.
g) Any person who has completed two consecutive full terms of service on the Committee shall be ineligible for appointment for a third term during the one year period following the expiration of the second term.

13. Subcommittees. With NIST's approval the Board may establish subcommittees subject to the provisions of FACA, the FACA implementing regulations, and applicable Department of Commerce guidance. Subcommittee members shall be selected from among the members of the Board.

14. Recordkeeping. The records of the Board, subcommittees, or other subgroups of the Board, shall be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

Ellen Herbst

Chief Financial Officer and
Assistant Secretary for Administration

3/2/16

Filing Date