

Texas Cybersecurity Council Charter

Version 7.0

Texas Cybersecurity Council
September 1, 2020

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Purpose

The Texas Cybersecurity Council is created by the Department of Information Resources (Department) to develop enduring partnerships between private industry and public sector organizations to ensure that critical infrastructure and sensitive information are protected, to develop a cybersecurity workforce to protect technology resources from increasing threats, and develop strategies and solutions that ensure that Texas continues to lead in areas of cybersecurity.

Objectives

The objectives of the Texas Cybersecurity Council are in accordance with Section 2054.512 of the Texas Government Code, and subsequent amendments, and include:

- Establishing the criteria and priorities for addressing cybersecurity threats to critical state installations;
- Consolidating and synthesizing best practices to assist state agencies in understanding and implementing cybersecurity measures that are most beneficial to this state;
- Assessing the knowledge, skills, and capabilities of the existing information technology and cybersecurity workforce to mitigate and respond to cyber threats and develop recommendations for addressing immediate workforce deficiencies and ensuring a long-term pool of qualified applicants;
- Providing recommendations to the legislature on any legislation necessary to implement cybersecurity best practices and remediation strategies for this state.

Authority

In 2012, the Texas Cybersecurity, Education, and Economic Development Council released the “Building a More Secure and Prosperous Texas” report, focusing on increasing the development and impact of the cybersecurity industry within the state. In 2013, the 83rd Legislature amended Chapter 2054 of the Texas Government Code, expressly creating the Cybersecurity Coordinator and granting the Cybersecurity Coordinator the authority to create the Texas Cybersecurity Council. The enabling statutes, as amended by the Legislature, include:

Sec. 2054.511. CYBERSECURITY COORDINATOR. The executive director [of the DIR] shall designate an employee of the department as the state cybersecurity coordinator to oversee cybersecurity matters for this state.

Sec. 2054.512. CYBERSECURITY COUNCIL. The state cybersecurity coordinator shall establish and lead a cybersecurity council that includes public and private sector leaders and cybersecurity practitioners to collaborate on matters of cybersecurity concerning this state.

Membership Structure

The Council membership is comprised of participation tiers that limit the leadership and decision-making authority to a select and specific group defined as Council Members, and a broad and open participation group defined as Council Partners.

Council Leadership

The Council will be led by the Cybersecurity Coordinator, as designated by the Department Executive Director. The Council will elect a Vice-Chair that will fulfill the duties of the Chair if for any reason the Chair is temporarily unavailable. If the Vice-Chair cannot fulfill his or her term for any reason, the Council will elect a new Vice-Chair. The Department's Executive Director retains the authority for designation of the Cybersecurity Coordinator / Council Chair should for any reason the role requires a replacement.

Council Membership

Voting Council Members

The voting Council Members are as follows:

- The following permanent members as designated by the represented agency
 - The Council Chair as a representative from the Department
 - One representative who is an employee of the Office of the Governor
 - One representative from the Texas Education Agency
 - One representative from the Texas Higher Education Coordinating Board
 - One representative from the Texas Workforce Commission
 - One representative from the Texas Veterans Commission
 - One representative from the Texas Military Department
 - One representative from the House of Representatives
 - One representative from the Senate
- The following rotating members as appointed by the State Cybersecurity Coordinator, pursuant to Section 2054.512(c) of the Texas Government Code:
 - Three representatives with a two-year term from Higher Education selected from the state public universities
- The following rotating members as nominated and approved by Council vote:

- One representative with a two-year term from a state technical, community, or junior college
- The following private industry members as designated by and serving at the pleasure of the Cybersecurity Coordinator:
 - Three representatives with a two-year term from critical infrastructure sectors

Ex-Officio Members

Ex-officio members will participate in Council meetings and provide expertise as needed but are not voting members. Ex-officio members include the following:

- DIR Executive Director
- DIR General Counsel
- DIR Government Relations staff
- DIR Communications staff
- DIR administrative support staff serving in the capacity of Council Secretary

Council Partners

Up to five Council Partners serving two-year terms, nominated by members of the Council and approved by the Council membership. Council Partners are non-voting participants of the public-private partnership consisting of organizations or individuals that can support the achievement of the Council's objectives.

Roles and Responsibilities

Council

The Council shall:

- Establish and lead task forces to support the objectives of the Council
- Support the Chair in tasks assigned to the Council and approved by the voting members

Chair

The Chair has the following responsibilities:

- Approve meeting agendas and conduct meetings
- Approve meeting minutes
- Preview presentations/materials that are scheduled for Council review and provide feedback
- Appoint task forces when needed and report status of task force assignments
- Promote involvement and participation of all Council members

- Respond to requests to testify on behalf of the Council and make appropriate assignments to Council members to meet these requests
- Appoint Council Partners

Vice-Chair

The Vice-Chair, as elected by the Council and out of current membership, will conduct Council meetings in the temporary absence of the Chair and will provide other assistance as requested.

Task Force Leads

The Task Force Leads will be nominated by the Chair and approved by the voting members of the Council to direct the efforts of individual task forces created to address aspects of cybersecurity pertinent to the objectives of the Council. Task Force leads will provide leadership to the individual Task Force and ensure that objectives are accomplished. Task Force Leads will assist in developing agendas, reports, and presentations and will provide other assistance as requested.

Secretary

The Secretary is a DIR employee who will work with the Chair to organize the Council meetings. The Secretary has primary responsibility to:

- Schedule meetings and communicate agendas prior to each meeting
- Record and forward meeting notes to the Chair for approval prior to distribution
- Maintain the roster of the Council members
- Maintain a repository that includes meeting notes, a log and status of issues discussed, and elevated, and other such documents required by the Chair

Council Member

Each Council member is expected to adhere to the meeting guidelines and participate in Council meetings.

Council members should fulfill the following responsibilities:

- Sign a non-disclosure agreement and abide by the requirements
- Attend Council meetings and actively participate
- Prepare for Council meetings
- Offer strategic insight and perspective to support of the objectives of Council
- Provide their vote against or in favor of decisions faced by the Council
- Lead or serve on task forces as requested

Council Partners

Council Partners will adhere to the following:

- Sign a non-disclosure agreement and abide by the requirements
- Attend Council meetings when requested, adhering to meeting guidelines with participation during defined portions of the meeting as specified in the agenda or requested by the Chairperson
- Actively participate in task forces as requested
- Provide support of the Council's initiatives

Meetings

Schedule

The Council will meet at least quarterly, or at more frequent regular intervals agreed by the Council Members. Additional meetings may be scheduled at the discretion of the Chair.

Attendance

All Council Members are expected to regularly attend scheduled meetings. All Council Members, Partners and Guests are required to sign a non-disclosure agreement, prior to attending a meeting, unless authorized by the Chair.

Guidelines

The Council Chair will conduct each meeting in accordance with the following guidelines:

- The agenda and other materials for discussion will be distributed in a manner to provide as much advance notice as possible, but no later than two business days prior to the Council meeting.
- Topics not on the agenda may be discussed at the end of the meeting at the discretion of the Chair, time permitting, or placed on the agenda for the next meeting.
- All members should be prepared to actively participate in any discussions or decision-making.
- Meeting minutes are prepared and distributed within three days following meetings.
- Minutes will be posted in the repository for the Council.

Voting

Voting may be required as part of a decision-making process when adopting recommendations or taking actions on matters before the Council. Each Voting Council Member has one vote, and a simple majority vote of the members present will be used to approve recommendations or actions.

Parties interested in serving on the Council as a rotating member or Council Partner are required to submit an application to the Council Chair. When there is an opening for one of these

positions, applications will be reviewed and voted on quarterly. When a rotating member's two-year term has expired, the member may reapply for the open position.

Appointment of rotating Council Members will be based on nomination by any Council Member and a majority vote of a quorum of Voting Council Members. A quorum for membership decisions is defined as more than one half of the voting membership. At the discretion of the Chair, Members and Partners may continue to perform the duties of their position until their successors assume their position.

Communication

Reporting

Meeting minutes and action items will be documented by the Secretary. The Chair will review all Council outputs prior to distribution to the Council Members and the executive director. The Secretary will also maintain the Council's log of recommendations.

Charter Document Control

The Council Chair is responsible for maintaining this document with the assistance from the Secretary.

The most recent version will be maintained in the Council repository along with other Council governance documents, meeting minutes, and supporting materials.

Events that prompt the review of this document include modifications to the document and membership changes.

Appendix A - Version History

Version History			
Number	Change Date	Author	Summary of Change
0.1	11/12/13	Brian Engle	Initial draft for review
0.2	04/7/14	Brian Engle	Final Draft for review
1.0	10/22/15	Edward Block	Final Draft for review
2.0	12/15/16	Todd Kimbriel	Final Draft for review
3.0	08/15/17	Todd Kimbriel	Final Draft for review
4.0	08/24/18	Todd Kimbriel	Updated member tables
5.0	09/28/18	Ernesto Ballesteros	Updates from 9/13 Council presentation
6.0	12/19/18	Ernesto Ballesteros	Update to Section 4.2.1, to ensure compliance with Section 2054.512(c) of the Texas Government Code. Update to Appendix C – Document Review: 1. Removal of names associated with each party; and addition of the date of review/approval column.
6.1	1/24/20	Meredith Noel	Updates to Appendix A, Membership Roster
6.2	4/13/20	Meredith Noel	Updates to Appendix A, Membership Roster
7.0	9/1/20	Meredith Noel, Daniel Hankins	Updates to align with statute and Council practices, formatting change to new DIR template, remove Appendix A (will be separate document)

Appendix B - Document Review

This document is reviewed/approved by the following individuals:

Document Review		
Title	Reviews/Approves	Date
Executive Director, DIR	Review and approve	9/1/20
State Cybersecurity Coordinator, DIR	Review and approve	8/17/20
General Counsel, DIR	Review and approve	8/18/20
Voting Council Members	Review and approve	8/31/20