



THE SECRETARY OF HEALTH AND HUMAN SERVICES  
WASHINGTON, D.C. 20201

## CHARTER

### NATIONAL BIODEFENSE SCIENCE BOARD

#### **Authority**

The National Biodefense Science Board (hereafter referred to as the Board) was established under Section 402 of the Pandemic and All-Hazards Preparedness Act (P.L. 109-417) (codified at Section 319M of Title III of the Public Health Service Act (42 U.S.C. 247d-7f), as amended) and Section 222 of the Public Health Service Act (42 U.S.C. § 217a). The Board is governed by the Federal Advisory Committee Act (5 U.S.C. App.), which sets forth standards for the formation and use of advisory committees.

#### **Objectives and Scope of Activities**

The Pandemic and All-Hazards Preparedness Act, signed into law on December 19, 2006, directs the Secretary of the U.S. Department of Health and Human Services (hereafter referred to as the Secretary) to establish the Board to provide expert advice and guidance to the Secretary on scientific, technical and other matters of special interest to the Department of Health and Human Services regarding current and future chemical, biological, nuclear, and radiological agents, whether naturally occurring, accidental, or deliberate. The Board may also provide advice and guidance to the Secretary and/or the Assistant Secretary for Preparedness and Response (hereafter referred to as the ASPR) on other matters related to public health emergency preparedness and response.

#### **Description of Duties**

The Board shall advise the Secretary and/or ASPR on current and future trends, challenges, and opportunities presented by advances in biological and life sciences, biotechnology, and genetic engineering with respect to threats posed by naturally occurring infectious diseases and chemical, biological, radiological, and nuclear agents. At the request of the Secretary and/or ASPR, the Board shall review and consider any information and findings received from the working groups established under 42 U.S.C. 247d-7f(b). At the request of the Secretary and/or ASPR, the Board shall provide recommendations and findings for expanded, intensified, and coordinated biodefense research and development activities. Additional advisory duties concerning public health emergency preparedness and response may be assigned at the discretion of the Secretary and/or ASPR.

#### **Agency or Official to Whom the Committee Reports**

The Committee provides advice to the Secretary of the Department of Health and Human Services (HHS) and/or the Assistant Secretary for Preparedness and Response.

#### **Support**

Coordination, management, and operational services shall be provided by the Office of the Assistant Secretary for Preparedness and Response (ASPR).

### **Estimated Annual Operating Costs and Staff Years**

The total estimated annual cost for operating the Board is \$1,217,476.00. Management of the Board is estimated to require 4 annual person years of support at an annual cost of \$614,034.00. Operating costs, including compensation and travel expenses for Board members, will be approximately \$603,442.00 per year.

### **Designated Federal Officer**

ASPR will select a fulltime or permanent part-time Federal employee to serve as the Designated Federal Officer (DFO) to attend each Committee meeting and ensure that all procedures are within applicable statutory, regulatory, and HHS General Administration Manual directives. The DFO will approve and prepare all meeting agendas, call all of the Committee and subcommittee 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 official to whom the Committee reports. The DFO or his/her designee shall be present at all meetings of the full committee and subcommittees.

### **Estimated Number and Frequency of Meetings**

The Board shall meet at least twice annually and may be convened on an as-needed basis, at the call of the Secretary and/or ASPR or the Designated Federal Official. The Board may hold such hearings, sit and act at such times and places, take such testimony and receive such evidence, convene conferences and workshops, as the Board considers advisable to carry out its duties. Meetings shall be open to the public except as determined otherwise by the Secretary and/or ASPR, in accordance with the Government in the Sunshine Act (5 U.S.C 552b(c)) and the Federal Advisory Committee Act. Notice of all meetings will be given to the public.

### **Duration**

Continuing

### **Termination**

Notwithstanding section 14 of the Federal Advisory Committee Act, the Board shall terminate five years after the date on which it was established. Therefore, the National Biodefense Science Board will terminate five years after the date on which the charter is filed. The 5-year period may be extended by the Secretary and/or ASPR for one or more additional 5-year periods if the Secretary and/or ASPR determines that any such extension is appropriate.

### **Membership and Designation**

The Board shall consist of 13 voting members, including the Chairperson; additionally, there may be non-voting ex officio members. Members and the Chairperson shall be appointed by the Secretary from among the Nation's preeminent scientific, public health and medical experts, as follows: (a) such Federal officials as the Secretary determines are necessary to support the functions of the Board, (b) four individuals from the pharmaceutical, biotechnology and device industries, (c) four academicians, and (d) five other members as determined appropriate by the Secretary and/or ASPR, one of whom must be a practicing health care professional and one of

whom must be from an organization representing health care consumers. Additional members for category (d), above, will be selected from among State and local governments and public health agencies, emergency medical responders and organizations representing other appropriate stakeholders.

A member of the Board described in (b), (c), and (d) in the above paragraph shall serve for a term of 3 years, except that the Secretary and/or ASPR may adjust the terms of the initial Board appointees in order to provide for a staggered term of appointment of all members. Members who are not full-time or permanent part-time Federal employees shall be appointed by the Secretary as Special Government Employees.

A quorum for the Board and each of its working groups shall consist of a majority of the appointed members eligible to vote. Of the voting members, any who are disqualified from participating in an action on a particular issue shall not count toward the quorum.

**Subcommittees**

Subcommittees composed of members and nonmembers of the parent committee may be established with the approval of the Secretary and/or ASPR or his/her designee. The subcommittees must report back to the parent committee and do not provide advice or work products directly to the agency. The Department Committee Management Officer will be notified upon establishment of each standing subcommittee and will be provided information on its name, membership, function, and estimated frequency of meetings.

**Recordkeeping**

The records of the Committee, established subcommittees, or other subgroups of the Committee, shall be managed 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, subject to the Freedom of Information Act, 5 U.S.C. 552.

**Filing Date**

July 3, 2012

APPROVED:

**JUL - 3 2012**

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Date



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Kathleen Sebelius