



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

**AMENDED CHARTER
OF THE
NATIONAL BIODEFENSE SCIENCE BOARD
(ALSO KNOWN AS THE “NATIONAL PREPAREDNESS AND RESPONSE SCIENCE
BOARD”)**

Authority

The Board is authorized under Section 319M of the Public Health Service (PHS) Act (42 U.S.C. 247d-7f) as added by section 402 of the Pandemic and All-Hazards Preparedness Act (PAHPA) of 2006 and amended by section 404 of the Pandemic and All Hazards Preparedness Reauthorization Act (PAHPRA) and Section 222 of the PHS 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 Board provides expert advice and guidance to the Secretary of the U.S. Department of Health and Human Services (hereafter referred to as the Secretary) on scientific, technical and other matters of special interest to the Department of Health and Human Services (hereinafter referred to as the Department) regarding current and future chemical, biological, nuclear, and radiological agents, whether naturally occurring, accidental, or deliberate. The Board also provides advice and guidance to the Secretary and/or the Assistant Secretary for Preparedness and Response (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. The Board shall also provide any recommendation, finding, or report provided to the Secretary on these matters to the appropriate committees of Congress. 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 and/or the ASPR.

Support

Coordination, management, and operational services shall be provided by ASPR.

Estimated Annual Operating Costs and Staff Years

The total estimated annual cost for operating the Board is \$1,517,000. Management of the Board is estimated to require 5 annual person years of support at an annual cost of \$566,000. Operating costs, including compensation and travel expenses for Board members, will be approximately \$951,000 per year.

Designated Federal Officer

ASPR will select a full-time 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 Departmental General Administration Manual directives. The DFO will approve and prepare all meeting agendas, approve or 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 DFO. 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; however, the Board is subject to termination pursuant to the "Termination" section below.

Termination

Notwithstanding section 14 of the Federal Advisory Committee Act, the Board shall terminate five years after the date on which it was established. 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 determine that any such extension is appropriate. Therefore, the Board will terminate five years

after the date on which the charter of July 3, 2012 was filed. And, unless renewed by appropriate action, the Board's charter will expire on July 3, 2014.

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 may determine are necessary to support the functions of the Board;
- (B) Four individuals representing the pharmaceutical, biotechnology, and device industries;
- (C) Four individuals representing academia; and
- (D) Five other members as determined appropriate by the Secretary, of whom—
 - (i) One such member shall be a practicing healthcare professional;
 - (ii) One such member shall be an individual from an organization representing healthcare consumers;
 - (iii) One such member shall be an individual with pediatric subject matter expertise; and
 - (iv) One such member shall be a State, tribal, territorial, or local public health official.

Nothing in the membership requirements shall preclude a member of the Board from satisfying two or more of these requirements described in subparagraph (D).

A member of the Board described in (B), (C), and (D) in the above paragraph shall serve for a term of 3 years, and may serve not more than 2 consecutive terms. 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 Board may be established with the approval of the Secretary and/or ASPR or his/her designee. The subcommittees must report back to the Board and do not provide advice or work products directly to the Department. 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 Board, formally and informally established subcommittees, or other subgroups of the Board, 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

Amended Filing Date

APPROVED:

APR 16 2014
Date

/s/
Kathleen Sebelius