



CHARTER

BOARD OF SCIENTIFIC COUNSELORS NATIONAL CENTER FOR ENVIRONMENTAL HEALTH/ AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

Purpose

The National Center for Environmental Health (NCEH) was established at CDC in 1980 to operate under a broad mandate to prevent disability, disease, and death due to environmental factors. NCEH operates under the authority of Section 301 of the Public Health Service Act. The Secretary, Department of Health and Human Services (HHS), and by delegation, the Director, CDC, is authorized under Section 301, [42 U.S.C. Section 241] and Section 311, [42 U.S.C. Section 243], of the Public Health Service Act, as amended, to: (1) conduct, encourage, cooperate with, and assist other appropriate public authorities, scientific institutions, and scientists in the conduct of research, investigations, experiments, demonstrations, and studies relating to the causes, diagnosis, treatment, control, and prevention of physical and mental diseases, and other impairments; (2) assist States and their political subdivisions in the prevention of infectious diseases and other preventable conditions, and in the promotion of health and well-being; and (3) to train State and local personnel in health work, in order to prevent disability, disease, and death due to environmental factors.

Although the Agency for Toxic Substances and Disease Registry (ATSDR) was established as a separate agency in 1983, the Administrator of ATSDR is also the Director of CDC, and the two agencies share senior management functions. ATSDR program authorities and its appropriations are primarily from the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA or Superfund), [42 U.S.C. 9604(i) (1)]. The Secretary, HHS, and the Administrator, ATSDR, are authorized under Section 104(i) of Public Law 96-510, CERCLA, as amended by the Superfund Amendments and Reauthorization Act of 1986, [42 U.S. C. Section 9604(i)], and Sections 3019 and 3001(b)(1) of the Resource Conservation and Recovery Act (RCRA), [42 U.S.C. Sections 6939a and 6921(b)(1)], to determine the extent of danger to the public's health from a release or threat of release of a hazardous substance at Superfund or RCRA sites by conducting health assessments and to conduct directly or by grants or contracts, research, experiments, and demonstrations relating to the prevention of human health effects from exposure to toxic substances. CERCLA [Section 104(i)(13)] stipulates that all studies and results of research conducted by ATSDR shall be reported only after appropriate peer review.

Authority

Section 222 of the Public Health Service Act (42 U.S.C. §217a), as amended. The Board is governed by the provisions of Public Law 92-463, as amended (5 U.S.C. App. 2), which sets forth standards for the formation and use of advisory committees.

Function

The Board of Scientific Counselors, NCEH/ATSDR shall provide advice and guidance to the Secretary, HHS; the Director, CDC; and the Director, NCEH/ATSDR, regarding program goals, objectives, strategies, and priorities in fulfillment of the agencies' mission to protect and promote people's health. The Board shall provide advice and guidance that will assist NCEH/ATSDR in ensuring scientific quality, timeliness, utility, and dissemination of results. The Board shall also provide guidance to help NCEH/ATSDR work more efficiently and effectively with its various constituents and to fulfill its mission in protecting America's health.

Structure

The Board of Scientific Counselors, NCEH/ATSDR shall consist of 16 members, including the Chair. Members and the Chair shall be selected by the Secretary from authorities knowledgeable in the field of environmental public health or in related disciplines. Members shall be deemed Special Government Employees.

The Board shall also consist of nonvoting federal experts representing the Department of Energy; the National Institute for Occupational Safety and Health; the National Institute of Environmental Health Sciences; the Environmental Protection Agency; and such additional officials of the United States Government as the Secretary deems necessary for the Board to effectively carry out its functions.

Members shall be invited to serve for overlapping terms of up to four years, except that any member appointed to fill a vacancy for an unexpired term shall be appointed for the remainder of that term. Terms of more than two years are contingent upon the renewal of the Board by appropriate action prior to its termination. A member may serve 180 days after the expiration of that member's term if a successor has not taken office.

Subcommittees may be established from time to time with the approval of the Secretary, HHS, or designee. The Department Committee Management Officer will be notified upon establishment of each subcommittee, and will be provided information on its name, membership, function, and estimated frequency of meetings.

Management and support services shall be provided by the Office of the Director, NCEH/ATSDR.

Meetings

Meetings shall be held approximately two times per year at the call of the Designated Federal Official, in consultation with the Chair. The Designated Federal Official shall also approve the agenda and shall be present at all meetings.

Meetings shall be open to the public except as determined otherwise by the Secretary, HHS, or other official to whom the authority has been delegated, in accordance with the Government in the Sunshine Act (5 U.S.C. 552b(c)) and Section 10(d) of the Federal Advisory Committee Act; notice of all meetings shall be given to the public.

Meetings shall be conducted, and records of the proceedings kept, as required by applicable laws and Departmental regulations.

Compensation

Members who are not full-time Federal employees shall be paid at the rate of \$250 per day, or at the rate of \$31.25 per hour, as determined by the agency, not to exceed \$250 per day; plus per diem and travel expenses in accordance with standard government travel regulations.

Annual Cost Estimate

Estimated annual cost for operating the Board, including compensation and travel expenses for members but excluding staff support, is \$102,552. Estimate of annual person-years of staff support required is 1.30, at an estimated annual cost of \$140,029.

Reports

In the event a portion of a meeting is closed to the public, as determined by the Secretary, HHS, in accordance with the Government in the Sunshine Act (5 U.S.C. 552b(c)) and Section 10(d) of the Federal Advisory Committee Act, a report shall be prepared which shall contain, as a minimum, a list of members and their business addresses, the committee's activities, and recommendations made during the fiscal year. A copy of the report shall be provided to the Department Committee Management Officer.

Termination Date

Unless renewed by appropriate action prior to its expiration, the Board of Scientific Counselors, NCEH/ATSDR will terminate on May 21, 2010.

Approved:

4/9/08
Date

Glenn L. Baker
Director
Management Analysis and Services Office