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

CHARTER

NATIONAL TOXICOLOGY PROGRAM BOARD OF SCIENTIFIC COUNSELORS

PURPOSE

In accordance with a determination by the Secretary of Health and Human Services (Secretary), the National Toxicology Program (NTP, also referred to as "Program") was established on November 15, 1978, to strengthen the Department's activities in the testing of chemicals of public health concern as well as in the development and validation of new and better integrated test methods. The Secretary has mandates under section 301 of the Public Health Service (PHS) Act (42 U.S.C. 241): (a) to support and encourage the conduct and coordination of research related to the causes, diagnoses, treatment, control and prevention of diseases in man; (b) to conduct and support through grants and contracts studies and testing of substances for carcinogenicity, teratogenicity, mutagenicity, and other harmful biological effects; (c) to consult with other Federal entities outside the Department engaged in those activities listed under (b). These mandates are fulfilled in part by research and research support activities of the various components of the Public Health Service. The NTP serves: (a) to coordinate the relevant research activities of these various components into a department-wide effort to provide information to regulatory and research agencies and to strengthen the science base; and (b) to formalize and facilitate communications and consultation between the departmental agencies and other Federal entities outside the Department engaged in comparable activities.

The National Toxicology Program Board of Scientific Counselors (Board) is a technical advisory body established to advise the National Toxicology Program Executive Committee and Program Director on matters relating to the scientific program content, to evaluate the scientific merits of the intramural and collaborative programs of the NTP, and to provide external scientific advice on NTP activities.

AUTHORITY

42 U.S.C. 217a; section 222 of the PHS Act, as amended. The Board is governed by the provision of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), which sets forth standards for the formation and use of advisory committees.

FUNCTION

The Board shall advise the National Toxicology Program Executive Committee and Program Director on matters of scientific program content, both present and future, as they relate to the Program.

The Board shall conduct periodic review of the Program for the purpose of determining and advising on the scientific merit of these activities and the overall scientific quality of the Program.

As necessary, and with the approval of the Executive Secretary, the Board and subcommittees may call upon special consultants, assemble ad hoc working groups, and convene conferences and workshops.

STRUCTURE

The Board shall consist of not more than 35 members, including the Chair. Members shall be selected by the Secretary, or designee, from recognized authorities knowledgeable in fields such as toxicology, pharmacology, pathology, biochemistry, epidemiology, risk assessment, mutagenesis, carcinogenesis, behavioral and neurotoxicology, immunotoxicology, reproductive toxicology or teratology, and biostatistics. None of these members serve as Representatives. The quorum for the conduct of business by the full Board shall consist of a majority of the currently appointed members. A quorum for each subcommittee shall be three members. The Director, National Toxicology Program, shall select the Chair from among the members of the Board.

Members shall be invited to serve for overlapping terms of up to four years. Members may serve after the expiration of their terms for 180 days after the date of expiration.

As necessary, subcommittees may be established by the Executive Secretary or other designated Government official within the Board's jurisdiction. The advice/recommendations of a subcommittee must be deliberated by the parent advisory committee. A subcommittee may not report directly to a Federal official unless there is statutory authority to do so.

Subcommittee membership may be drawn in whole or in part from the parent advisory committee. All subcommittee members may vote on subcommittee actions and all subcommittee members count toward the quorum for a subcommittee meeting. Ad hoc consultants do not count toward the quorum and may not vote. Subcommittee members who are not members of the parent committee may attend closed sessions of the parent committee meeting but they may not count toward the quorum of the parent committee and they cannot vote on committee actions. The Department Committee Management Office shall be notified upon establishment of each standing subcommittee, and shall be provided information on its name, membership, function, and estimated frequency of meetings.

The Director, NTP, will assign a full-time or permanent part-time NTP employee to serve as the Executive Secretary (also known as a Designated Federal Official or designated Government Official) of the committee. Management and support services shall be provided by the Office of the Associate Director, National Toxicology Program.

MEETINGS

Meetings of the Board and each subcommittee shall be held approximately twice a year, at the call of the Executive Secretary or other designated Government official. A Government official shall give advance approval of the agenda and shall be present at all meetings of the Board and its subcommittees.

Meetings shall be open to the public unless determined otherwise by the Secretary of Health and Human Services in accordance with subsection (c) of section 552b of Title 5 U.S.C. Notice of all meetings shall be given to the public.

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

COMPENSATION

Members shall be paid at the rate of $200 per day, plus per diem and travel expenses, as authorized by section 5703, Title 5 U.S.C., as amended, for persons in the Government service employed intermittently. Members who are officers or employees of the United States Federal Government shall not receive compensation for service on the Board.

ANNUAL COST ESTIMATE

The estimated annual cost for operating the Board, including compensation and travel expenses for members, but excluding staff support is $168,638. The estimate of annual person-years of staff support required is 1.8, at an estimated annual cost of $207,062.

REPORTS

In the event a portion of a meeting is closed to the public, as determined by the Secretary of Health and Human Services, in accordance with the Government in the Sunshine Act (5 U.S.C. 552b(c)) and the Federal Advisory Committee Act, a report shall be prepared which shall contain, at a minimum, a list of members and their business addresses, the Board's functions, dates and places of meetings, and a summary of Board 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 Charter for the National Toxicology Program Board of Scientific Counselors will expire on November 14, 2010.

APPROVED

OCT 15 2008

Date

Michael O. Leavitt

Secretary

NOTICE OF RENEWAL
OF
NATIONAL TOXICOLOGY PROGRAM
BOARD OF SCIENTIFIC COUNSELORS

I determine, after consultation with the Administrator, General Services Administration, that renewal of the National Toxicology Program Board of Scientific Counselors beyond November 14, 2008, is in the public interest in connection with the performance of duties imposed on the Department by law, and that such duties can best be performed through the advice and counsel of such a group. The Board is continued until November 14, 2010.

I further deem that it is not feasible for the Department nor any of its existing committees to perform these duties, and that a satisfactory plan for appropriate balance of Board membership has been submitted.

OCT 15 2008

Date

Michael O. Leavitt

Secretary