



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

CHARTER 2015 DIETARY GUIDELINES ADVISORY COMMITTEE

AUTHORITY

The 2015 Dietary Guidelines Advisory Committee (the Committee or 2015 DGAC) is authorized under 42 U.S.C. 217a, Section 222 of the Public Health Service Act, as amended. The Committee is governed by provisions of the Federal Advisory Committee Act (FACA), Public Law 92-463, as amended (5 U.S.C., App), which sets forth standards for the formation and use of advisory committees.

OBJECTIVES AND SCOPE OF ACTIVITIES

Under Section 301 of Public Law 101-445 (7 U.S.C. 5341, the National Nutrition Monitoring and Related Research Act of 1990, Title III) the Secretaries of Health and Human Services (HHS) and Agriculture (USDA) are directed to jointly issue at least every five years a report entitled *Dietary Guidelines for Americans*. The law instructs that this publication shall contain nutritional and dietary information and guidelines for the general public, shall be based on the preponderance of scientific and medical knowledge current at the time of publication, and shall be promoted by each Federal agency in carrying out any Federal food, nutrition, or health program. The *Dietary Guidelines for Americans* was issued voluntarily by HHS and USDA in 1980, 1985, and 1990; the 1995 edition was the first statutorily mandated report, followed by subsequent editions at the appropriate intervals.

The 2015 DGAC is established to provide independent, science-based advice and recommendations for development of the *Dietary Guidelines for Americans, 2015*, which forms the basis of Federal nutrition programs, nutrition standards, and nutrition education for the general public. A variety of services and tools will be made available to the Committee to support development of recommendations that promote health and reduce chronic disease risk for Americans. The USDA Nutrition Evidence Library will assist the Committee in conducting and creating a transparent database of systematic reviews reflecting the most current research available on a wide range of food and nutrition-related topics to inform its recommendations.

DESCRIPTION OF DUTIES

The work of the Committee will be solely advisory in nature and time-limited. The Committee will examine the current *Dietary Guidelines for Americans*, take into consideration new scientific evidence and current resource documents, and then develop a report to be submitted to the Secretaries that outlines its science-based recommendations and rationale which will serve as a basis for developing the eighth edition of *Dietary Guidelines for Americans*.

AGENCIES OR OFFICIALS TO WHOM THE COMMITTEE REPORTS

The HHS Assistant Secretary for Health and USDA Under Secretaries of the Food, Nutrition, and Consumer Services (FNCS) and Research, Education and Economics (REE) will provide guidance and oversight for the Committee's function and activities.

SUPPORT

Management and support services for the 2015 DGAC primarily will be provided by the Office of Disease Prevention and Health Promotion (ODPHP) within the Department of Health and Human Services. The ODPHP is a program office within Office of the Assistant Secretary for Health (OASH), which is a staff division in HHS Office of the Secretary. Responsibility for administrative services will be shared with staffs of the USDA FNCS and REE. USDA administrative leadership and Nutrition Evidence Library support will come from the Center for Nutrition Policy and Promotion within FNCS. REE agencies will provide administrative and data analysis support.

ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS

The estimated annual HHS cost for operating the DGAC, including travel and per diem expenses for members, but excluding staff support is \$ 400,000. It is estimated that the annual person-years of HHS staff support required is 4.4 FTEs, at an estimated cost of \$ 430,000.

DESIGNATED FEDERAL OFFICER

The HHS Assistant Secretary for Health will appoint two Co-Executive Secretaries from HHS, one of whom will serve as the Designated Federal Officer (DFO). USDA Under Secretaries of FNCS and REE will appoint two Co-Executive Secretaries from USDA, one from the Center for Nutrition Policy and Promotion, who will serve as the lead for USDA, and the other from the Agricultural Research Service.

Since HHS has responsibility for providing management support for the 2015 DGAC, the HHS Co-Executive Secretaries will, in collaboration with the USDA Co-Executive Secretaries, schedule and approve all meetings of the 2015 DGAC, and make logistical arrangements that are necessary for public meetings of the 2015 DGAC, including meetings of any established subgroups. The DFO, in collaboration with the USDA Co-Executive Secretaries, will prepare and approve all meeting agendas; development of the meeting agenda also can include consultation with the Committee Chair.

The DFO or other official to whom the authority has been delegated will be present at all meetings of the full Committee and any subgroups that have been established to assist the Committee. The DFO has authority to adjourn meetings, when it is determined to be in the public interest, and may also chair the committee meetings when directed to do so by the Assistant Secretary for Health and/or other authorized official.

ESTIMATED NUMBER AND FREQUENCY OF MEETINGS

It is estimated that the 2015 DGAC will meet approximately five times during the projected period for its operation. More meetings will be held if it is necessary to accomplish the mission of the Committee and funds are available to support additional meetings. It is required that two-thirds of the appointed members be present for the Committee to meet to conduct business. Meetings will be open to the public, except as determined otherwise by the Secretaries of HHS and USDA or other official to whom this authority has been delegated, in accordance with guidelines under Government in the Sunshine Act at 5 U.S.C. 552b(c) and the FACA. Notice of all meetings will be provided to the public. Meetings will be conducted and records of the proceedings will be kept, as required by applicable laws and Departmental policies.

DURATION

The 2015 DGAC is established to accomplish a single, time-limited task. It is expected that the Committee will complete the mission for which it was established within two years from the date this charter is filed.

TERMINATION

Unless renewed by appropriate action prior to its expiration, the 2015 DGAC will terminate after delivery of its final report to the Secretaries of HHS and USDA or two years from the date this charter is filed, whichever comes first.

MEMBERSHIP AND DESIGNATION

The 2015 DGAC will consist of not more than 17 members, with the minimum number being 13; one or more members will be selected to serve as the Chair, Vice Chair, and/or Co-Chairs. Individuals will be selected to serve as members of the Committee who are familiar with current scientific knowledge in the field of human nutrition and chronic disease. Expertise will be sought in specific specialty areas that may include but are not limited to cardiovascular disease; type 2 diabetes; overweight and obesity; osteoporosis; cancer; pediatrics; gerontology; maternal/gestational nutrition; epidemiology; general medicine; energy balance, which includes physical activity; nutrient bioavailability; nutrition biochemistry and physiology; food processing science, safety and technology; public health; nutrition education and behavior change; and/or nutrition-related systematic review methodology.

Members will be invited to serve for the duration of the Committee. Individuals who are appointed to serve as members of the Committee will be jointly agreed upon by the Secretaries of HHS and USDA. All appointed members of the 2015 DGAC will be classified as special Government employees (SGEs).

Pursuant to an advance written agreement, the appointed members will receive no compensation for the advisory service they render during their tenure on the 2015 DGAC. However, as authorized by law and in accordance with Federal travel regulations, members of the 2015 DGAC will receive per diem and reimbursement for travel expenses incurred while performing duties and/or conducting business related to the Committee.

SUBCOMMITTEES/WORKING GROUPS

To accomplish its mission, and with approval of the official to whom authority has been given, the 2015 DGAC may establish subcommittees and/or working groups that are composed of members of the parent committee and non-member special consultants and/or individuals with demonstrated expertise in the specialty areas designated for the Committee membership.

The established subgroups will provide advice and/or make recommendations to the parent committee. All reports and recommendations developed by an established subgroup of the 2015 DGAC must be submitted to the parent committee for the appropriate action to be taken. An established subgroup may not report its findings to any Federal official unless there is specific statutory authority for such reporting.

The Department Committee Management Officer will be notified if any subgroup is established for the 2015 DGAC, and will be provided information regarding the name of the subgroup, function, membership, and estimated frequency of meetings.

RECORDKEEPING

Records of the Committee and any established subgroup will be handled in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition schedule. These records will be made available to the public for inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

FILING DATE: February 19, 2013

APPROVED

January 9, 2013
Date

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Kathleen Sebelius