

U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250

DEPARTMENTAL REGULATION		NUMBER: 1042-128
SUBJECT: CHARTER of the 2010 Dietary Guidelines Advisory Committee	DATE: June 30, 2008	
	OPI: Center for Nutrition Policy and Promotion	

1. PURPOSE

- a. Section 301 of Public Law 101-445 (7 U.S.C. 5341, the National Nutrition Monitoring and Related Research Act of 1990, Title III) directs the Secretaries of the U.S. Departments of Agriculture (USDA) and Health and Human Services (HHS) to issue jointly at least every 5 years a report entitled Dietary Guidelines for Americans. The law instructs that this report shall contain nutritional and dietary information and guidelines for the general public, shall be based on the preponderance of the 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 2010 Dietary Guidelines Advisory Committee (the Committee or DGAC) shall be formed and governed under the provisions of Public Law 92-463 (5 U.S.C. Appendix 2, the Federal Advisory Committee Act [FACA] of 1972), as amended. Issued voluntarily by USDA and HHS in 1980, 1985, and 1990, the 1995 edition was the first statutorily mandated Dietary Guidelines Advisory Committee report followed by subsequent editions in 2000 and 2005.
- b. The need for this Committee is solely advisory and time-limited. The Committee shall provide independent, science-based advice and recommendations for the development of the Dietary Guidelines for Americans, 2010 which form the basis of Federal nutrition programs, nutrition standards, and nutrition education for the general public.
- c. The Committee shall be established for the single, time-limited task of reviewing the 2005 edition of the Dietary Guidelines for Americans and determining if, on the basis of current scientific and medical knowledge, revision is warranted. The Committee will have a variety of tools available to make recommendations that promote health and reduce chronic disease risk for Americans. The tools shall include but not be limited to an electronic database of evidence-based reviews on nutrition, physical activity and medical science.
- d. The report of the Dietary Guidelines for Americans is deemed necessary for improving the nutrition of Americans and, thus, is in the best interest of the public.

2. SPECIAL INSTRUCTIONS/CANCELLATION

The Committee shall be terminated if it is determined that revision of the report is unwarranted. If the Committee deems revision to be warranted, then the Committee will continue until the revision is complete, i.e., upon delivery of its final report, or at the end of two years from the date this Charter was filed, whichever is first.

3. OFFICERS AND MEMBERSHIP

- a. The Committee shall be composed of not more than thirteen members, including the Chairperson and the Vice Chairperson. All members will be familiar with current scientific knowledge in the field of human nutrition and chronic disease. Expertise shall be sought in specific specialty areas, including but not limited to, cardiovascular disease, cancer, pediatrics, gerontology, epidemiology, general medicine, overweight and obesity, physical activity, public health, nutrition education, and food science.
- b. Committee Members shall be appointed by the Secretaries of Agriculture and Health and Human Services, and shall, with the exception of travel and per diem for official travel, serve without compensation.
- c. Equal opportunity practices, in line with USDA policies, will be followed in all membership appointments to the Committee. To ensure that the recommendations of the Committee have taken into account the needs of the diverse groups served by the Department, membership shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

4. DUTIES

- a. The Committee shall advise the Secretaries of USDA and HHS if revision to the current Dietary Guidelines for Americans is warranted. If so, the Committee shall provide to the Secretaries its science-based recommendations and rationales in the form of the Dietary Guidelines Advisory Committee Report.
- b. If the Committee decides that no changes to the current Dietary Guidelines for Americans are necessary, the Committee will so inform the Secretaries of the Departments. This action will terminate the Dietary Guidelines Advisory Committee.

5. ESTIMATED ANNUAL OPERATING COST

- a. Committee members shall not receive compensation for their service, but shall be paid travel and per diem expenses in accordance with standard travel regulations.

- b. It is estimated that the annual average operating cost, to include Committee member travel, per diem, as well as meeting support is \$250,000.00. The estimated annual personnel cost is six USDA full-time equivalents (FTEs) working half-time. USDA will solely be responsible for the operating cost.

6. NUMBER AND FREQUENCY OF MEETINGS

- a. The Committee shall meet at the call of the Designated Federal Officer (DFO) as described under "Agency Support" below, in consultation with the Chairperson. A government official shall be present at all meetings. The estimated number of Committee meetings is five over the project duration. Meetings will be open to the public with records of proceedings kept as required by applicable laws and Departmental regulations. Notice of all meetings shall be given to the public. Committee meetings will adhere to all the requirements set forth by FACA.
- b. The Committee shall be authorized to establish subcommittees and/or working groups, as necessary, which are consistent with the overall mission.

7. REPORTS/AGENCY SUPPORT

- a. An Advisory Committee Report will be provided to the Secretary of Agriculture, through the Under Secretaries of Food, Nutrition, and Consumer Services and Research, Education, and Economics, and the Secretary of Health and Human Services, through the Assistant Secretary for Health (Office of Public Health and Science), outlining the Dietary Guidelines Advisory Committee's recommendations and rationales for the seventh edition of the Dietary Guidelines for Americans.
- b. There shall be four Co-Executive Secretaries, two from USDA and two from HHS. USDA's Center for Nutrition Policy and Promotion (CNPP) Co-Executive Secretary will be the Designated Federal Officer (DFO) who will have lead oversight of the Committee. Management and support services shall be provided by the USDA's CNPP and Agricultural Research Service (ARS). Technical support will also be provided by the Office of Disease Prevention and Health Promotion (ODPHP/HHS). Both Departments shall ensure compliance with FACA requirements. The DFO will be responsible for submission of reports required by FACA.

END