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| <b>DEPARTMENTAL REGULATION</b>                          |                                    | Number:<br>1042-110 |
| SUBJECT: National Nutrition Monitoring Advisory Council | DATE: May 28, 1999                 |                     |
|   | OPI: Agricultural Research Service |                     |

1 PURPOSE

a A National Nutrition Monitoring Advisory Council (the Advisory Council) was established by Executive Order of the President of the United States on January 25, 1991. Establishment of the Advisory Council is required by Section 201(a)(1) of Public Law 101-445, the National Nutrition Monitoring and Related Research Act of 1990 (the Act).

b The purpose of the Advisory Council is to provide scientific and technical advice on the development and implementation of the coordinated National Nutrition Monitoring and Related Research Program and the Ten-Year Comprehensive Plan for National Nutrition Monitoring and Related Research Program and to serve in an advisory capacity to the Secretaries of the Department of Health and Human Services (DHHS) and the U.S. Department of Agriculture (USDA).

2 SPECIAL INSTRUCTIONS/CANCELLATION

a Pursuant to Section 201(j) of the Act, the Advisory Council shall terminate 10 years after the Ten-Year Comprehensive Plan for the National Nutrition Monitoring and Related Research Program is published as specified in Section 103(d)(2) of the Act.

b This regulation will terminate 2 years from the date of filing. Departmental Regulation 1042-110, dated May 21, 1996, is hereby superseded.

3 OFFICERS AND MEMBERSHIP

a The Advisory Council shall be composed of nine voting members, including a Chairperson elected from and by the Advisory Council membership. Five members shall be appointed by the President based upon recommendations from the Secretaries of DHHS and USDA. Four members shall be appointed by the Congress, of whom one shall be appointed by the Speaker of the House of Representatives, one shall be appointed by the minority leader of the House of Representatives, one shall be appointed by the President Pro Tempore of the Senate, and one shall be appointed by the minority leader of the Senate.

b Members shall be selected solely on the basis of an established record of distinguished service and shall be eminent in one of the following fields:

- (1) Public health, including clinical dietetics, public health nutrition, epidemiology, clinical medicine, health education, or nutrition education;
- (2) Nutrition monitoring research, including nutrition monitoring and surveillance, food consumption patterns, nutritional anthropology, community nutrition research, nutritional biochemistry, food composition analysis, survey statistics, dietary intake methodology, or nutrition status methodology; or
- (3) Food production and distribution, including agriculture, biotechnology, food technology, food engineering, economics, consumer psychology or sociology, food system management, or food assistance.

c Membership, at all times, shall include at least two representatives from each of the three areas of specialization listed above. Membership shall have representatives from various geographic areas, the private sector, academia, scientific and professional societies, agriculture, minority organizations, and public interest organizations and shall include a State or local government employee with a specialized interest in nutrition monitoring. Equal opportunity practices, in line with USDA policies, will be followed in all appointments to the Advisory Council. To ensure that the recommendations of the Advisory Council have taken into account the needs of the diverse groups served by USDA, membership should include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

d The term of office of the Chairperson shall not exceed 5 years. If a vacancy occurs in the Chairpersonship, the Advisory Council shall elect a member to fill such vacancy. The term of office of each of the voting members of the Advisory Council shall be 5 years, except that of the five members first appointed by the President, two shall be appointed for a term of 2 years, two for terms of 3 years, and one for a term of 4 years, as designated by the President of the United States at the time of the appointment. Any member appointed to fill a vacancy occurring prior to the expiration shall be appointed for the remainder of such term. No voting member shall be eligible to serve continuously for more than two consecutive terms.

e The Assistant Secretary for Health, DHHS and Under Secretary for Research, Education, and Economics (REE), USDA shall serve as Ex- Officio nonvoting members of the Advisory Council.

f The Assistant Secretary for Health, DHHS and Under Secretary for REE shall each appoint one representative of their respective agencies to serve as Co-Executive Secretaries to the Advisory Council.

## 4 DUTIES

a The Advisory Council shall carry out the following duties:

- (1) Provide scientific and technical advice on the development and implementation of all components of the coordinated program and the comprehensive plan;
- (2) Evaluate the scientific and technical quality of the comprehensive plan and the effectiveness of the coordinated program; and
- (3) Recommend to the Secretaries of DHHS and USDA on an annual basis, means of enhancing the comprehensive plan and the coordinated program.

## 5 ESTIMATED ANNUAL OPERATING COST

Members shall serve without pay, but with reimbursement of travel expenses and per diem for attendance at the Advisory Council meetings. Costs pertaining to travel and other expenses of members to attend meetings will be borne by USDA which provides the Executive Secretary to the Interagency Board for Nutrition Monitoring and Related Research. Annual costs are estimated at \$61,000 and .50 person-year of staff support.

## 6 NUMBER AND FREQUENCY OF MEETINGS

The Advisory Council will meet initially at the call of the Secretaries of DHHS and USDA and thereafter on call of the Chairperson as necessary, or on the written request of one-third of the members. A majority of the voting members of the Advisory Council shall constitute a quorum. All meetings will be open to the public. It is estimated that the Advisory Council will meet approximately two times per year.

## 7 REPORTS/SUPPORT

a The Advisory Council shall report annually to the Secretaries of DHHS and USDA on their evaluation of the scientific and technical quality of the comprehensive plan and effectiveness of the coordinated program and their recommendations for enhancing the comprehensive plan and coordinated program.

b Support for the Advisory Council shall be provided by USDA which provides the Executive Secretary to the Interagency Board for Nutrition Monitoring and Related Research.

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