



CHARTER

COUNCIL OF COUNCILS

1. **Advisory Committee's Official Designation.** Council of Councils.
2. **Authority.** Required by 42 U.S.C. 282(l), section 402(l) of the Public Health Service (PHS) Act, as amended. The Council of Councils (Council) is governed by the provisions of the Federal Advisory Committee Act (FACA), as amended (5 U.S.C. §§ 1001-1014).
3. **Objectives and Scope of Activities.** The Council will advise, consult with, and make recommendations to the Director, National Institutes of Health (NIH), and other appropriate delegated officials on matters related to the activities carried out by and through the Division of Program Coordination, Planning, and Strategic Initiatives (DPCPSI) and the policies respecting these activities.
4. **Description of Duties.** The Council advises on matters related to the policies and activities of DPCPSI, including making recommendations with respect to the conduct and support of research that represents important areas of emerging scientific opportunities, rising public health challenges, or knowledge gaps that deserve special emphasis and would benefit from conducting or supporting additional research that involves collaboration between two or more national research institutes or national centers, or would otherwise benefit from strategic coordination and planning.
5. **Agency or Federal Officer Receiving the Advisory Committee's Advice/Recommendations.** The Council will advise the Director, NIH, and the Director, DPCPSI.
6. **Support.** Management and support services will be provided by the Office of the Director, NIH.
7. **Estimated Annual Operating Costs and Staff Years.** The estimated annual cost for operating the Council, including compensation and travel expenses for members, but excluding staff support, is \$261,001. The estimated annual person-years of staff support required is 0.1, at an estimated annual cost of \$31,553.
8. **Designated Federal Officer (DFO).** The Director, DPCPSI, will assign a full-time or permanent part-time NIH employee as the Designated Federal Officer (DFO) of the committee. In the event that the DFO cannot fulfill the assigned duties of the committee, one or more full-time or permanent part-time NIH employees will be assigned as DFO and carry out these duties on a temporary basis. In carrying out these duties, the DFO will:
 - A. Ensure the committee's activities comply with the FACA, the FACA Final Rule, agency administrative procedures, and any other applicable laws and regulations;
 - B. Approve or call all of the committee's and subcommittees' meetings;

- C. Approve the agenda;
- D. Attend all of the committee's and subcommittees' meetings for their duration;
- E. Fulfill the requirements under § 10(b) of FACA (codified at 5 U.S.C. § 1009(b));
- F. Adjourn any meeting when the DFO determines it to be in the public interest;
- G. Chair any meeting when so directed by the agency head;
- H. Maintain information on committee activities and provide such information to the public, as applicable; and
- I. Ensure committee and subcommittee members, as applicable, receive the appropriate training for efficient operation and compliance with the FACA and FACA Final Rule.

The Director, DPCPSI shall designate a member of the staff of DPCPSI to serve as the Executive Secretary of the Council. The staff member assigned to serve as DFO will also be designated to serve as the Executive Secretary.

9. Estimated Number and Frequency of Meetings. Meetings of the full Council will be held at the call of the Chair (with the DFO's approval) or upon request of the Director, DPCPSI, not less than three times within a fiscal year. Meetings will be open to the public except as determined by the Secretary at the request of the DFO in accordance with 5 U.S.C. 552b(c) and 41 C.F.R. 102-3.155 including specifying the specific exception(s) that justifies closure. Notice of all meetings will be given to the public. In the event a portion of a meeting is closed to the public, as determined by the Secretary, in accordance with the Government in the Sunshine Act (5 U.S.C. 552b(c)) and the Federal Advisory Committee Act, an annual report of closed or partially-closed meetings will be prepared which will contain, at a minimum, a list of members and their business addresses, the committee's functions, dates and places of meetings, and a summary of the committee's activities and recommendations made during the fiscal year.

10. Duration. The duration of the Council is continuing.

11. Termination. Unless renewed by appropriate action, prior to its expiration, the charter for the Council of Councils will expire two years from the date the charter is filed.

12. Membership and Designation. The Council will consist of 27 non-federal members appointed by the Director, NIH (appointed members).

The members will be appointed with the concurrence of the Secretary from among the list, updated and maintained by the Director, NIH, of individuals who have been nominated to serve on the Council. The list of nominees will contain:

- For each national research institute and national center, three individuals nominated by the head of such institute or center from among the members of the advisory council of the institute or center, of which (1) two will be scientists and (2) one will be from the general public or a leader in the field of public policy, law, health policy, economics or management.
- For each office within the Division of Program Coordination, Planning, and Strategic Initiatives, one individual nominated by the head of such office.

In selecting the appointed members of the Council, the Director, NIH, will ensure (1) the representation of a broad range of disciplines and perspectives; and (2) the ongoing inclusion of at least one representative from each national research institute whose budget is substantial relative to a majority of the other institutes.

All non-federal appointed members must be eligible to serve as Special Government Employees (SGEs) and will serve as SGEs as defined by 18 U.S.C. § 202. Appointed members will be invited to serve for overlapping six-year terms. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. An appointed member may serve after the expiration of that member's term until a successor has taken office.

The Council will also include two federal non-voting ex-officio members: the Director, DPCPSI, and the Principal Deputy Director, NIH. The Director, DPCPSI, will serve as Chair.

A quorum for the conduct of business by the Council will consist of a majority of currently appointed members.

- 13. Subcommittees.** As necessary, subcommittees and ad hoc working groups may be established by the DFO within the Council's jurisdiction. The advice/recommendations of a subcommittee/working group must be deliberated by the parent advisory committee. A subcommittee/working group may not report directly to the agency or any Federal officer.

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 towards the quorum for a subcommittee meeting. Ad hoc consultants are not considered subcommittee members, do not count towards the quorum and may not vote. A quorum for a subcommittee will be three members. The Department Committee Management Officer will be notified upon establishment of each standing subcommittee and will be provided information on its name, membership, function, and estimated frequency of meetings.

- 14. Recordkeeping.** Council and subcommittee records will be handled in accordance with General Records Schedule 6.2, or other approved agency records disposition schedule. These records will be available for public inspection and copying, subject to any applicable exemptions under the Freedom of Information Act, 5 U.S.C. 552(b) and 41 C.F.R. 102-3.170.

- 15. Filing Date.** April 11, 2025.

APPROVED:

April 10, 2025

Date


Principal Deputy Director, NIH