

Appendix B: Amended Charter

AMENDED CHARTER

PRESIDENTIAL ADVISORY COUNCIL ON HIV/AIDS

PURPOSE

The Secretary of Health and Human Services is charged in Titles XXIII-XXVI of the Public Health Service Act with responsibilities for conducting a variety of activities in connection with the prevention and cure of HIV and AIDS and for ensuring that those infected with HIV or AIDS are provided with quality care.

AUTHORITY

Executive Order 12963, dated June 14, 1995, as amended by Executive Order 13009, dated June 14, 1996. The Presidential Advisory Council on HIV/AIDS (“PACHA” and/or the “Council”) is governed by provisions of Public Law 92-463, as amended,

5 U.S.C. Appendix 2, that sets forth standards for the formation and use of advisory committees.

FUNCTION

PACHA shall provide advice, information, and recommendations to the Secretary regarding programs and policies intended to (a) promote effective prevention of HIV disease, (b) advance research on HIV/AIDS, and (c) promote quality services to persons living with HIV disease and AIDS. The functions of the Council shall be solely advisory in nature. The Secretary shall provide the President with copies of all written reports provided to the Secretary by the Council.

STRUCTURE

The Council shall consist of not more than 21 members to be appointed or designated by the Secretary. If at the time the charter is made effective, the Council has more than 21 members, such members shall serve through the remainder of their terms and/or until notified, in writing, that their terms have expired. The Secretary shall designate one or more members to serve as Chair, Vice Chair and/or Co-Chairs. The Council membership shall be selected from authorities with particular expertise in, or knowledge of, matters concerning HIV and AIDS. In addition, the Council may include ex officio members from relevant HHS components, as deemed appropriate by the Secretary or designee.

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Members shall be invited to serve for overlapping terms of up to four years; terms are contingent upon the authorized continuation of the Council. A member can serve after the expiration of their term until their successor has taken office and/or until notified, in writing, that their term has expired.

Subcommittees may be established, consisting of members of the Council, to perform specific functions within the jurisdiction of this advisory group. Subcommittees shall make preliminary recommendations for consideration by the Council membership. The Department Committee Management Officer shall be notified upon establishment of each subcommittee and shall be provided information on these subgroups, i.e., names/titles, functions, membership, and estimated frequency of meetings.

Management and support services for the Council and its activities shall be provided by the Office of Public Health and Science within the Office of the Secretary.

MEETINGS

The Council shall meet not less than two times each year at the call of the Chair and/or

Co-Chairs with advance approval of a designated Government official. A designated Government official must approve the agenda for the meetings and also must be present at all meetings.

Meetings shall be open to the public, except as determined otherwise by the Secretary. Notice of all meetings shall be given to the public. Meetings shall be conducted and copies of the proceedings kept, as required by applicable laws and Department regulations.

COMPENSATION

The Council membership shall receive no stipend for the advisory services they render as members of PACHA. However, as authorized by law and in accordance with Federal travel regulations, PACHA members may receive per diem and reimbursement for travel expenses incurred in relation to performing duties for the Council.

ANNUAL COST ESTIMATES

The estimated annual cost for Council operations, including per diem and travel expenses for members, is \$303,300. An allocation of three (3) FTEs has been projected to provide staff support for Council activities; the annual cost for the projected human resources is \$259,300.

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REPORTS

In the event, the entire and/or portion of a Council meeting is closed to the public, a report shall be prepared that shall contain, at a minimum, a list of members and their business addresses, the Council's functions, dates and places of meeting, a summary of the topics discussed and/or Council business conducted, and the resulting recommendations made. A copy of the report shall be given to the Department Committee Management Officer.

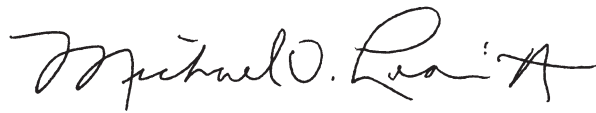
TERMINATION DATE

Unless renewed by the appropriate action prior to the date stipulated, the Presidential Council on HIV/AIDS will terminate on July 27, 2007.

APPROVED:

July 26, 2005

Date



Secretary