

DEPARTMENT OF VETERANS AFFAIRS  
CHARTER OF THE  
VETERANS' ADVISORY COMMITTEE  
ON ENVIRONMENTAL HAZARDS

1. OFFICIAL DESIGNATION: Veterans' Advisory Committee on Environmental Hazards.

2. AUTHORITY: The Committee is authorized by Public Law 98-542, the Veterans' Dioxin and Radiation Exposure Compensation Standards Act, as amended by Public Law 102-4, the Agent Orange Act of 1991, and operates under the provisions of the Federal Advisory Committee Act, as amended, 5 U.S.C., App. 2.

3. OBJECTIVES AND SCOPE OF ACTIVITY: The Committee provides advice to the Secretary of Veterans Affairs concerning the scientific and medical evidence of adverse health effects from exposure to ionizing radiation. The Committee also advises the Secretary on proposed regulatory standards and guidelines to promote uniformity and consistency in the adjudication of Veterans' and survivors' compensation claims based upon disabilities or deaths alleged to have resulted from Veterans' exposure to ionizing radiation while participating in atmospheric testing of nuclear weapons, or the occupation of Hiroshima or Nagasaki, Japan. The Scientific Council of the Committee evaluates scientific studies relating to possible adverse health effects of exposure to ionizing radiation.

4. DESCRIPTION OF DUTIES: Public Law 98-542, as amended by Public Law 102-4, requires the Secretary to promulgate regulations setting forth the circumstances when service connection will be granted in the adjudication of individual cases for disabilities resulting from (1) diseases specified in the statute for which Congress found there was some evidence of an association to exposure to ionizing radiation and (2) any other disease found by the Secretary to have a connection to exposure to ionizing radiation based on sound scientific or medical evidence. In developing the regulations, the Secretary may consult with the Committee. Before the regulations are made final, the Secretary must consult with the Committee and the Scientific Council. In addition, the Secretary must evaluate the evidence concerning diseases alleged to result from exposure and publish the evaluations in the Federal Register.

The full Committee will submit to the Secretary any recommendations it considers appropriate for administrative or legislative action. Taking into account the advice of the Scientific Council, it will specifically provide advice and recommendations concerning the guidelines and standards and criteria proposed by the Department of Veterans Affairs for the resolution of claims for benefits under laws administered by the Department of Veterans Affairs based upon exposure to ionizing radiation.

The Scientific Council will make findings and evaluations in light of their appraisals of pertinent scientific studies and will make periodic reports to the Committee and the

Secretary directly on such findings and evaluations. The Council will also consider whether there is a significant statistical association between particular diseases and exposure to ionizing radiation, and the Council will advise the Secretary of its conclusions.

5. OFFICIAL TO WHOM THE COMMITTEE REPORTS: The Committee reports to the Secretary of Veterans Affairs.

6. OFFICE RESPONSIBLE FOR PROVIDING THE NECESSARY SUPPORT TO THE COMMITTEE: The Veterans Benefits Administration, Department of Veterans Affairs, is responsible for providing support to the Committee.

7. ESTIMATED ANNUAL OPERATING COSTS IN DOLLARS AND STAFF YEARS: The estimated annual cost for operating the Committee is \$115,000 and approximately one staff year. All members will receive travel expenses and a per diem allowance in accordance with the Federal Travel Regulation for any travel made in connection with their duties as members of the Committee.

8. DESIGNATED FEDERAL OFFICER: The Designated Federal Officer (DFO), a full time VA employee, will approve the schedule of Committee meetings. The DFO or a designee will be present at all meetings, and each meeting will be conducted in accordance with an agenda approved by the DFO. The DFO is authorized to adjourn any meeting when he or she determines it is in the public interest to do so.

9. ESTIMATED NUMBER AND FREQUENCY OF MEETINGS: The full Committee and the Scientific Council will hold at least one meeting per year.

10. DURATION: There is a continuing need for the Committee to assist and advise the Secretary in carrying out the responsibilities described in Public Law 98-542, the Veterans' Dioxin and Radiation Exposure Compensation Standards Act, as amended by Public Law 102-4 the Agent Orange Act of 1991.

11. TERMINATION DATE: Authorized by Public Law 98-542, the Veterans' Dioxin and Radiation Exposure Compensation Standards Act, as amended by Public Law 102-4 the Agent Orange Act of 1991, the Committee has no termination date.

12. MEMBERSHIP AND DESIGNATION: By statute, the Committee shall consist of nine members appointed by the Secretary after requesting and considering recommendations from Veterans service organizations. Several members may be Regular Government Employees, but the majority of the Committee's membership will be Special Government Employees. The term of service for each member may not exceed three years. The Secretary may reappoint any member for additional terms of service. The Secretary shall appoint one of the members to chair the full Committee and another member to chair the Scientific Council.

Six of the Committee's members shall have expertise in biomedical and environmental sciences, including three experts in fields pertinent to understanding the health effects of exposure to ionizing radiation, and three experts in fields, such as epidemiology and other scientific disciplines, pertinent to determining and assessing the health effects of exposure to ionizing radiation in exposed populations. These six members shall comprise the Scientific Council of the Committee. The six member Scientific Council may not include members of the Armed Forces on active duty or employees of the Department of Veterans Affairs or the Department of Defense. Not more than three of the Scientific Council members may be employees of other Federal departments or agencies.


The remaining three members shall be individuals from the general public, including a disabled Veteran, who have demonstrated an interest in and experience relating to Veterans' concerns regarding exposure to ionizing radiation. The Under Secretary for Health and the Under Secretary for Benefits, or their designees, are ex officio, non-voting members of the Committee.

13. SUBCOMMITTEES: The Committee is authorized to establish subcommittees, with the Designated Federal Officer's (DFO) approval, to perform specific projects or assignments as necessary and consistent with its mission. The Committee chair shall notify the Secretary, through the DFO, of the establishment of any subcommittee, including its function, membership, and estimated duration. Subcommittees will report back to the Committee.

14. RECORDKEEPING: Records of the Committee shall be handled in accordance with General Records Schedule 26 or other approved agency records disposition schedules. Those records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.

15. DATE CHARTER IS FILED:

Approved:

  
Eric K. Shinseki  
Secretary of Veterans Affairs

Date: MAR 25 2011