THE SECRETARY OF HEALTH AND HUMAN SERVICES

WASHINGTON, D.C. 20201

CHARTER

ADVISORY BOARD ON RADIATION AND WORKER HEALTH

Authority

The Advisory Board on Radiation and Worker Health (the Board) was established pursuant to Section 3624 of Public Law 106-398, and Section 4 of Executive Order 13179, "Providing Compensation to America's Nuclear Weapons Workers," dated December 7, 2000. The Board is governed by the provisions of the Federal Advisory Committee Act, Public Law 92-463, as amended (5 U.S.C. App. 2), which sets forth standards for the formation and use of advisory committees. The statutory authority for the Board is codified at 42 U.S.C. §7384o. The Board is currently operating under the authority given in Executive Order 13708, dated September 30, 2015.

Objective and Scope of Activities

The President is authorized by Public Law 106-398 to carry out the Energy Employees Occupational Illness Compensation Program Act of 2000. Since World War II, many men and women have served in building the Nation's nuclear defense and, in the course of this work, have been exposed to beryllium, ionizing radiation, and other hazards unique to nuclear weapons production and testing. The purpose of the compensation program is to provide for fair and timely compensation of covered employees and, where applicable, survivors of such employees, suffering from illnesses incurred by such employees in the performance of duty for the Department of Energy (DOE) and certain of its contractors and subcontractors.

The Secretaries of Energy, Health and Human Services, and Labor share responsibilities for administering the compensation program. Section 3624 of Public Law 106-398 authorizes the President to establish and appoint the Board, and by Executive Order 13179, the President has designated responsibility for the Board to the Secretary, Department of Health and Human Services (HHS).

Description of Duties

Section 4(b) of Executive Order 13179 establishes that the Board shall provide advice to the Secretary, HHS on (1) the development of guidelines to assess the likelihood that an individual with cancer sustained the cancer in the performance of duty at a DOE or an Atomic Weapons Employer (AWE) facility, and methods for arriving at and providing reasonable estimates of the radiation doses received by individuals applying for assistance under this program for whom there are inadequate records of radiation exposure; (2) the scientific validity and quality of dose reconstruction efforts performed for purposes of the compensation program; and (3) upon request by the Secretary, HHS, whether there is a class of employees at any DOE or AWE facility who were exposed to radiation but for whom it is not feasible to estimate their radiation dose, and on whether there is reasonable likelihood that such radiation dose may have endangered the health of members of the class.

Agency or Official to Whom the Board Reports

The Board shall provide advice to the Secretary, HHS on the matters specified under section 4(b) of Executive Order 13179.

Support

The Department of Health and Human Services shall provide administrative services, funds, facilities, staff, and other necessary support services, and perform the administrative functions of the President under the Federal Advisory Committee Act, as amended (5 U.S.C. App. 2), with respect to the Board.

Estimated Annual Operating Costs and Staff Years

Estimated annual cost for operating the Board, including compensation and travel expenses for members, but excluding staff support, is $599,931. Estimate of annual person-years of staff support required is 3.85, at an estimated annual cost of $795,788.

Designated Federal Officer

The Centers for Disease Control and Prevention (CDC) will select a full-time or permanent part-time Federal employee to serve as the Designated Federal Officer (DFO) to attend each Board meeting and ensure that all procedures are within applicable statutory, regulatory, and HHS General Administration Manual directives. The DFO will approve and prepare all meeting agendas, call all of the Board and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by

the official to whom the Board reports. The DFO or his/her designee shall be present at all meetings of the full Board and subcommittees.

Estimated Number and Frequency of Meetings

The frequency of meetings shall be determined by the National Institute for Occupational Safety and Health, CDC, based on agency needs at the call of the DFO, in consultation with the Chair.

Meetings shall be open to the public except as determined otherwise by the Secretary, HHS, or other official to whom the authority has been delegated, in accordance with the Government in the Sunshine Act (5 U.S.C. §552b(c)) and Section 10(d) of the Federal Advisory Committee Act. Notice of all meetings shall be given to the public.

Duration

Continuing.

Termination Date

Unless extended by the President, the Board will terminate on September 30, 2017.

Membership and Designation

The Board shall consist of not more than 20 members to be appointed by the President. As required by 42 U.S.C. §7384o(a)(2), the President shall make appointments to the Board in consultation with organizations with expertise on worker health issues in order to ensure that the membership of the Board reflects a balance of scientific, medical, and worker perspectives. As required by 42 U.S.C. §7384o(a)(3), the President shall designate a Chair for the Board from among its members. The authorizing statutory provision under 42 U.S.C. §7384o and Section 4 of Executive Order 13179 does not include a limit for terms of appointment for Board members.

Subcommittees

Subcommittees composed of members of the parent committee may be established with the approval of the Secretary, HHS or his/her designee. The subcommittees must report back to the parent committee and do not provide advice or work products directly to the agency. The Department Committee Management Officer will be notified upon establishment of each subcommittee and will be provided information on its name, membership, function, and estimated frequency of meetings.

Recordkeeping

The records of the Board, established subcommittees, or other subgroups of the Board, shall be managed in accordance with General Records Schedule 6.2, Federal Advisory Committee Records, or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. §552.

Filing Date

Reestablished on MAR 22 2016, 2016

APPROVED

MAR 21 2016
Date

Sylvia M. Burwell
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