SEC. ___. REPEAL OF VETERANS' ADVISORY BOARD ON DOSE RECONSTRUCTION.

(a) REPEAL OF ADVISORY BOARD.—Section 601(c) of the Veterans Benefits Act of 2003 (Public Law 108-183; 117 Stat. 2667; 38 U.S.C. 1154 note) is repealed.

(b) CONFORMING AMENDMENT.—Section 601(b) of such Act is amended by striking ", including the establishment of the advisory board required by subsection (c)".

[Please note: The "Changes to Existing Law" section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal terminates the Veterans' Advisory Board on Dose Reconstruction (VBDR), as this committee has achieved its statutory objectives. The VBDR's objectives were to provide review and oversight of the Radiation Dose Reconstruction Program and make recommendations on modifications in the mission or procedures of the Radiation Dose Reconstruction program to the Secretaries of the Departments of Defense (DoD) and Veterans Affairs (VA). The VBDR was composed of private sector experts and scientists in historical dose reconstruction, radiation health, and risk communication, as well as one representative each from the Defense Threat Reduction Agency and VA, and three veterans, one of whom is a member of an atomic veterans group (see section 601(c)(2) for details).

The sense of Congress, as identified in the Federal Advisory Committee Act (5 U.S.C. App.) is that "advisory committees should be terminated when they are no longer carrying out the purposes for which they are established." Current DoD policy is to "continually evaluate advisory committee requirements and, when appropriate, request termination when the advisory committee's objects have been accomplished, the advisory committee's work is made obsolete by the passing of time; [or] another entity has assumed the advisory committee's functions…".

From 2003 to 2012, the VBDR submitted 76 recommendations to the Departments of Defense and Veterans Affairs, all of which were fully implemented for an estimated cost savings, for DoD alone, at over $21 million, as well as improved health care for DoD Veterans. A full list of the VBDR recommendations can be found on the VBDR website as all VBDR meetings were open to the public and all meeting minutes were posted for public review and access. Since its last meeting on July 23, 2013, the VBDR has not met and then-Under Secretary of Defense for Acquisition, Technology, and Logistics Kendall and then-Secretary of Defense Hagel concluded that VBDR has accomplished its mission. The DoD, in consultation with the General Services Administration, made the VRBD administratively inactive on July 14, 2014, pending final termination, which requires this statutory language change.

Budget Implications: This proposal has no significant budgetary impact. Resources impacted are incidental in nature and amount, and are included within the Fiscal Year (FY) 2021 President's Budget Request

Changes to Existing Law: This proposal would amend section 601 of the Veterans Benefits Act of 2003 (Public Law 108–183; 117 Stat. 2667; 38 U.S.C. 1154 note) as follows:

SEC. 601. RADIATION DOSE RECONSTRUCTION PROGRAM OF DEPARTMENT OF DEFENSE.

(a) REVIEW OF MISSION, PROCEDURES, AND ADMINISTRATION.— (1) The Secretary of Veterans Affairs and the Secretary of Defense shall jointly conduct a review of the mission, procedures, and administration of the Radiation Dose Reconstruction Program of the Department of Defense.

(2) In conducting the review under paragraph (1), the Secretaries shall—

(A) determine whether any additional actions are required to ensure that the quality assurance and quality control mechanisms of the Radiation Dose Reconstruction Program are adequate and sufficient for purposes of the program; and

(B) determine the actions that are required to ensure that the mechanisms of the Radiation Dose Reconstruction Program for communication and interaction with veterans are adequate and sufficient for purposes of the program, including mechanisms to permit veterans to review the assumptions utilized in their dose reconstructions.

(3) Not later than 90 days after the date of the enactment of this Act, the Secretaries shall jointly submit to Congress a report on the review under paragraph (1). The report shall set forth— .

(A) the results of the review;

(B) a plan for any actions determined to be required under paragraph (2); and

(C) such other recommendations for the improvement of the mission, procedures, and administration of the Radiation Dose Reconstruction Program as the Secretaries jointly consider appropriate.

(b) ON-GOING REVIEW AND OVERSIGHT.— The Secretaries shall jointly take appropriate actions to ensure the on-going independent review and oversight of the Radiation Dose Reconstruction Program~~, including the establishment of the advisory board required by subsection (c)~~.

~~(c) ADVISORY BOARD.— (1) In taking actions under subsection (b), the Secretaries shall jointly appoint an advisory board to provide review and oversight of the Radiation Dose Reconstruction Program.~~

~~(2) The advisory board under paragraph (1) shall be composed of the following:~~

~~(A) At least one expert in historical dose reconstruction of the type conducted under the Radiation Dose Reconstruction Program.~~

~~(B) At least one expert in radiation health matters.~~

~~(C) At least one expert in risk communications matters.~~

~~(D) A representative of the Department of Veterans Affairs.~~

~~(E) A representative of the Defense Threat Reduction Agency.~~

~~(F) At least three veterans, including at least one veteran who is a member of an atomic veterans group.~~

~~(3) The advisory board under paragraph (1) shall—~~

~~(A) conduct periodic, random audits of dose reconstructions under the Radiation Dose Reconstruction Program and of decisions by the Department of Veterans Affairs on claims for service connection of radiogenic diseases;~~

~~(B) assist the Department of Veterans Affairs and the Defense Threat Reduction Agency in communicating to veterans information on the mission, procedures, and evidentiary requirements of the Radiation Dose Reconstruction Program; and~~

~~(C) carry out such other activities with respect to the review and oversight of the Radiation Dose Reconstruction Program as the Secretaries shall jointly specify.~~

~~(4) The advisory board under paragraph (1) may make such recommendations on modifications in the mission or procedures of the Radiation Dose Reconstruction Program as the advisory board considers appropriate as a result of the audits conducted under paragraph (3)(A).~~