

119TH CONGRESS
1ST SESSION

H. R. _____

To amend title 38, United States Code, to establish a presumption that certain veterans were exposed to radiation and other toxins at the Nevada Test and Training Range for purposes of the treatment of certain disabilities under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. AMODEI of Nevada introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title 38, United States Code, to establish a presumption that certain veterans were exposed to radiation and other toxins at the Nevada Test and Training Range for purposes of the treatment of certain disabilities under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. TREATMENT AS RADIATION-RISK ACTIVITIES.**

4 Section 1112(c)(3) of title 38, United States Code,
5 is amended—

1 (1) in subparagraph (B) by adding at the end
2 the following new clause:

3 “(viii) At any time on or after January 1,
4 1972, and before January 1, 2005, onsite par-
5 ticipation in any aspect of the development,
6 construction, operation, or maintenance of a
7 military installation (as defined in section 2801
8 of title 10) at a covered location at the Nevada
9 Test and Training Range.”; and

10 (2) by adding at the end the following new sub-
11 paragraph:

12 “(C) The term ‘covered location at the Nevada
13 Test and Training Range’ means a location at the
14 Nevada Test and Training Range, Nevada, including
15 a location at Indian Springs Auxiliary Airfield, but
16 not including a location Nellis Air Force Base or
17 Creech Air Force Base.”.

18 **SEC. 2. PRESUMPTIONS OF TOXIC EXPOSURE.**

19 Section 1119(c) of such title is amended—

20 (1) in paragraph (1)—

21 (A) by redesignating subparagraphs (A)
22 and (B) as subparagraphs (B) and (C), respec-
23 tively; and

24 (B) by inserting before subsection (B), as
25 so redesignated, the following:

1 “(A) on or after January 1, 1972, and be-
2 fore January 1, 2005, performed active mili-
3 tary, naval, air, or space service while assigned
4 to a duty station in, including airspace above,
5 a covered location at the Nevada Test and
6 Training Range, Nevada;” and

7 (2) by adding at the end the following new
8 paragraph:

9 “(4) The term ‘covered location at the Nevada
10 Test and Training Range’ means a location at the
11 Nevada Test and Training Range, Nevada, including
12 a location at Indian Springs Auxiliary Airfield, but
13 not including a location Nellis Air Force Base or
14 Creech Air Force Base.”.

15 **SEC. 3. PRESUMPTION OF SERVICE CONNECTION.**

16 Section 1120(b) of such title is amended—

17 (1) by redesignating paragraph (15) as para-
18 graph (16); and

19 (2) by inserting after paragraph (14) the fol-
20 lowing new paragraph:

21 “(15) Only in the case of a covered veteran de-
22 scribed in section 1119(c)(1)(A), lipomas and tumor
23 related conditions.”.