

106TH CONGRESS  
1ST SESSION

# S. 72

To amend title 38, United States Code, to restore the eligibility of veterans for benefits resulting from injury or disease attributable to the use of tobacco products during a period of military service, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 19, 1999

Ms. SNOWE introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to restore the eligibility of veterans for benefits resulting from injury or disease attributable to the use of tobacco products during a period of military service, 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. RESTORATION OF ELIGIBILITY FOR BENEFITS**  
4 **FOR INJURY OR DISEASE ATTRIBUTABLE TO**  
5 **THE USE OF TOBACCO DURING A PERIOD OF**  
6 **MILITARY SERVICE.**

7 (a) RESTORATION.—(1) Section 1103 of title 38,  
8 United States Code, as amended by section 9014 of the

1 TEA 21 Restoration Act (title IX of Public Law 105–206;  
2 112 Stat. 865), is repealed.

3 (2) The table of sections at the beginning of chapter  
4 11 of such title is amended by striking the item relating  
5 to section 1103.

6 (b) EFFECTIVE DATE.—The amendment made by  
7 subsection (a) shall take effect on the date of the enact-  
8 ment of this Act.

9 (c) REVIEW OF DISALLOWED CLAIMS.—(1) The Sec-  
10 retary of Veterans Affairs shall reopen and review any  
11 claim for benefits under title 38, United States Code, that  
12 was disallowed on the basis of the provisions of section  
13 1103 of that title during the period beginning on July 22,  
14 1998, and ending on the date of the enactment of this  
15 Act.

16 (2) In reviewing claims under paragraph (1), the Sec-  
17 retary shall determine the entitlement to or eligibility for  
18 benefits of the individual concerned as if such section 1103  
19 had never been enacted.

20 (3) No individual who is determined to be entitled  
21 to or eligible for benefits by reason of this subsection may  
22 be paid or furnished any benefits based upon such deter-  
23 mination for the period referred to in paragraph (1).

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