

108TH CONGRESS
2D SESSION

H. R. 5137

To amend title 38, United States Code, to revise the eligibility criteria for presumption of service-connection of certain diseases and disabilities for veterans exposed to ionizing radiation during military service.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 23, 2004

Mr. ABERCROMBIE (for himself, Mr. EVANS, and Mr. FILNER) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to revise the eligibility criteria for presumption of service-connection of certain diseases and disabilities for veterans exposed to ionizing radiation during military service.

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. ELIGIBILITY CRITERIA FOR PRESUMPTION OF**
4 **SERVICE-CONNECTION RESULTING FROM EX-**
5 **POSURE TO IONIZING RADIATION DUE TO**
6 **OPEN-AIR NUCLEAR TESTING.**

7 Section 1112(c) of title 38, United States Code, is
8 amended—

1 (1) in paragraph (3)(B)(i), by inserting before
2 the period at the end the following: “or exposure to
3 ionzing radiation due to residual contamination re-
4 sulting from such a detonation”; and

5 (2) by adding at the end the following new
6 paragraph:

7 “(4) For purposes of paragraph (3)(B)(i), onsite par-
8 ticipation by any individual in a test involving the atmos-
9 pheric detonation of a nuclear device and any exposure
10 to ionzing radiation due to residual contamination result-
11 ing from such a detonation shall be determined without
12 regard to whether any particular level of radiation expo-
13 sure was measured for that individual.”.

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