

111TH CONGRESS
1ST SESSION

H. R. 177

To provide for identification of members of the Armed Forces exposed during military service to depleted uranium, to provide for health testing of such members, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2009

Mr. SERRANO introduced the following bill; which was referred to the
Committee on Armed Services

A BILL

To provide for identification of members of the Armed Forces exposed during military service to depleted uranium, to provide for health testing of such members, 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. SHORT TITLE.**

4 This Act may be cited as the “Depleted Uranium
5 Screening and Testing Act”.

1 **SEC. 2. DEPLETED URANIUM RISK NOTIFICATION FOR DE-**
2 **PLOYING FORCES.**

3 (a) NOTIFICATION.—The Secretary of Defense shall
4 establish procedures to require, as part of the procedures
5 for preparing members of the Armed Forces for deploy-
6 ment to a theater of operations, that such members be
7 notified of—

8 (1) any known or likely use of depleted uranium
9 in that theater of operations (whether by forces of
10 the United States and its allies or by any opposing
11 forces); and

12 (2) any health risks associated with exposure to
13 depleted uranium.

14 (b) TRAINING.—The Secretary shall provide for
15 training deploying members of the Armed Forces on the
16 safe handling of depleted uranium contamination before
17 such members are deployed to a theater in which depleted
18 uranium is used.

19 **SEC. 3. DEPLETED URANIUM SCREENING AND TESTING.**

20 (a) IDENTIFICATION AND TESTING REQUIRED.—The
21 Secretary of Defense shall carry out a program to identify
22 individuals who, during active service in the Armed
23 Forces, are or have been exposed to depleted uranium and
24 to provide those individuals with bioassay testing and noti-
25 fication of the results of such testing.

1 (b) DEPLETED URANIUM-EXPOSED PERSONNEL
2 IDENTIFICATION METHODS.—

3 (1) PROCEDURES FOR IDENTIFICATION OF EX-
4 POSED MEMBERS.—The Secretary of each military
5 department shall establish procedures to identify
6 members of the Armed Forces under the Secretary's
7 jurisdiction who are, or may have been, exposed to
8 depleted uranium. For such purpose, the Secretary
9 shall identify units and members under paragraph
10 (2) and shall accept self-identification reports by
11 members under paragraph (3).

12 (2) IDENTIFICATION OF UNITS AND PER-
13 SONNEL.—The Secretary of each military depart-
14 ment shall identify units, and personnel assigned to
15 units, that have been, or could have been, exposed
16 to depleted uranium, based upon information about
17 known exposure events (as determined under sub-
18 section (c)).

19 (3) SELF REPORTING.—The Secretary of each
20 military department shall accept a report by an indi-
21 vidual, or a primary care provider for an individual,
22 that the individual, while a member of the Armed
23 Forces under the Secretary's jurisdiction, was, or
24 may have been, exposed to depleted uranium based
25 upon service on active duty (or training duty or fu-

1 neral honors duty) in a theater of operations where
2 depleted uranium was used, including travel through
3 such an area. The Secretary shall prescribe proce-
4 dures for receiving such reports. Such a self-identi-
5 fication report submitted to the Secretary under this
6 paragraph shall be treated by the Secretary as iden-
7 tification of the individual for purposes of this sub-
8 section.

9 (4) TREATMENT OF INDIVIDUALS NO LONGER
10 ON ACTIVE DUTY.—In carrying out this subsection,
11 the Secretary of each military department shall en-
12 sure that individuals no longer on active duty (in-
13 cluding members of the reserve components who
14 have been released from active duty, members who
15 have been retired, and members who have been sepa-
16 rated from service) are treated, for identification
17 purposes, in the same manner as individuals remain-
18 ing on active duty.

19 (c) EXPOSURE EVENTS.—

20 (1) TYPES OF EVENTS.—The Secretary of De-
21 fense shall identify depleted uranium exposure
22 events for purposes of this section. The exposure
23 events identified shall include the following:

24 (A) DIRECT EXPOSURES.—An event in
25 which an individual—

1 (i) is struck by depleted uranium mu-
2 nitions or depleted uranium armor frag-
3 ments;

4 (ii) enters, or is present within 50 me-
5 ters of, a vehicle or structure with possible
6 depleted uranium residues; or

7 (iii) breathes smoke from fires involv-
8 ing depleted uranium materials.

9 (B) EQUIPMENT HANDLING EXPOSURES.—

10 An event in which an individual may inhale de-
11pleted uranium compound particulates as a re-
12sult of the handling of equipment or wreckage
13that has been, or could have been, contaminated
14with depleted uranium.

15 (C) OTHER EXPOSURES.—Other signifi-
16cant or incidental exposure events identified by
17the Secretary, including the performance of ac-
18tivities in the area of depleted uranium dam-
19aged vehicles or structures or the traveling
20through or residing in any such area.

21 (2) LIMITED RETROACTIVITY.—In addition to
22exposure events described in paragraph (1) occur-
23ring on or after the date of the enactment of this
24Act, such events during the period between January
251, 2003, and the date of the enactment of this Act

1 may be considered for purposes of this section, if re-
2 ported during the 60-day period beginning on the
3 date of the enactment of this Act.

4 (d) HEALTH-CARE SERVICES REQUIRED.—

5 (1) BIOASSAY PROCEDURE.—Any individual
6 identified under subsection (b) shall be provided a
7 health screening test by the Secretary of Defense.
8 Such test shall be carried out using a bioassay pro-
9 cedure developed by the Secretary of Defense in con-
10 sultation with the Centers for Disease Control and
11 Prevention. The same bioassay procedure shall be
12 used for all individuals identified under subsection
13 (b) and for all types of exposure or possible exposure
14 identified under subsection (c).

15 (2) TIME FOR TEST.—

16 (A) EXPOSURES AFTER ENACTMENT.—In
17 the case of an exposure event described in sub-
18 section (c) that occurs on or after the date of
19 the enactment of this Act, the bioassay under
20 paragraph (1) shall be administered not later
21 than 180 days after the date of the event, ex-
22 cept that in the case of an individual with an
23 exposure event described in subsection (c)(3),
24 the bioassay under paragraph (1) shall be ad-
25 ministered not later than 30 days after the end

1 of the individual's deployment in the theater of
2 operations, but such individual may be provided
3 the bioassay earlier upon the individual's re-
4 quest.

5 (B) EXPOSURES BEFORE ENACTMENT.—In
6 the case of an exposure event described in sub-
7 section (c) that occurs before the date of the
8 enactment of this Act, the bioassay under para-
9 graph (1) shall be administered not later than
10 180 days after the date of the reporting of the
11 event under subsection (c)(2).

12 (3) FURNISHING OF RESULTS.—The Secretary
13 of Defense shall provide the results of any bioassay
14 procedure under this subsection to the individual
15 tested, and the primary care manager or primary
16 care provider of that individual, not later than 30
17 days after the Secretary receives those results.

18 (e) PERSONNEL TRACKING.—The Secretary of each
19 military department shall establish procedures for col-
20 lecting, tracking, and maintaining information on the
21 health status of individuals tested under subsection (d) for
22 the purpose of assessing any long-term health con-
23 sequences of exposure to depleted uranium.

24 (f) INDEPENDENT REVIEW OF BIOASSAY TYPES AND
25 CONTAMINATION THRESHOLDS.—The Director of the

1 Centers for Disease Control and Prevention shall conduct
2 an independent review of bioassay types and contamina-
3 tion thresholds for purposes of the testing under sub-
4 section (d).

5 (g) TREATMENT.—Based on the results of the bio-
6 assay tests, the Secretary of the military department con-
7 cerned shall provide appropriate treatment for any illness
8 of an individual resulting from a depleted uranium con-
9 tamination or exposure.

10 **SEC. 4. COMPTROLLER GENERAL SURVEY AND REPORT ON**
11 **RADIOISOTOPE IDENTIFICATION EQUIPMENT**
12 **USED BY DEPARTMENT OF DEFENSE.**

13 (a) SURVEY.—The Comptroller General shall conduct
14 a survey of radioisotope identification equipment used by
15 the Department of Defense in order to assess the capa-
16 bility of Department of Defense facilities to identify con-
17 centrations of different radioisotopes in naturally occur-
18 ring levels of uranium.

19 (b) REPORT.—The Comptroller General shall submit
20 to Congress a report on the results of the survey under
21 subsection (a) not later than 180 days after the date of
22 the enactment of this Act.

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