

114TH CONGRESS
2D SESSION

S. 3226

To direct the Secretary of Veterans Affairs to establish a registry of certain veterans who participated in a radiation cleanup mission in the Enewetak Atoll in the Marshall Islands during the period beginning on January 1, 1977, and ending on December 31, 1980, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 14, 2016

Ms. COLLINS (for herself and Mr. KING) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To direct the Secretary of Veterans Affairs to establish a registry of certain veterans who participated in a radiation cleanup mission in the Enewetak Atoll in the Marshall Islands during the period beginning on January 1, 1977, and ending on December 31, 1980, 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 “Enewetak Atoll Clean-
5 up Veterans Registry and Study Act of 2016”.

1 **SEC. 2. ENEWETAK ATOLL CLEANUP REGISTRY.**

2 (a) ESTABLISHMENT.—Not later than one year after
3 the date of the enactment of this Act, the Secretary of
4 Veterans Affairs shall establish and maintain a registry
5 to be known as the “Enewetak Atoll Veterans Health Reg-
6 istry” (in this section referred to as the “Registry”).

7 (b) CONTENTS.—Except as provided in subsection

8 (c), the Registry shall include the following information:

9 (1) A list containing the name of each indi-
10 vidual who—

11 (A) while serving as a member of the
12 Armed Forces, performed a radiation cleanup
13 mission in the Enewetak Atoll in the Marshall
14 Islands at any time during the period beginning
15 on January 1, 1977, and ending on December
16 31, 1980; and

17 (B)(i) applies for care or services from the
18 Department of Veterans Affairs under chapter
19 17 of title 38, United States Code;

20 (ii) files a claim for compensation under
21 chapter 11 of such title on the basis of any dis-
22 ability that may be associated with such service;

23 (iii) dies and is survived by a spouse, child,
24 or parent who files a claim for dependency and
25 indemnity compensation under chapter 13 of
26 such title on the basis of such service;

1 (iv) requests from the Secretary a health
 2 examination under subsection (d)(1); or

3 (v)(I) receives from the Secretary a health
 4 examination similar to the health examination
 5 under subsection (d)(1); and

6 (II) submits to the Secretary a request to
 7 be included in the Registry.

8 (2) Relevant medical data relating to the health
 9 status of, and other information that the Secretary
 10 considers relevant and appropriate with respect to,
 11 each individual described in paragraph (1) who—

12 (A) grants to the Secretary permission to
 13 include such information in the Registry; or

14 (B) at the time the name of the individual
 15 is added to the Registry, is deceased.

16 (c) INDIVIDUALS SUBMITTING CLAIMS OR MAKING
 17 REQUESTS BEFORE DATE OF ENACTMENT.—If an appli-
 18 cation, claim, or request referred to in paragraph (1) of
 19 subsection (b) was submitted, filed, or made with respect
 20 to an individual described in that paragraph before the
 21 date of the enactment of this Act, the Secretary shall, to
 22 the extent feasible, include in the Registry the information
 23 described in that subsection relating to that individual.

24 (d) EXAMINATIONS.—

1 (1) IN GENERAL.—Upon the request of an indi-
2 vidual described in subsection (b)(1)(A), the Sec-
3 retary shall provide the individual with—

4 (A) a health examination (including any
5 appropriate diagnostic tests); and

6 (B) consultation and counseling with re-
7 spect to the results of the examination and
8 tests.

9 (2) CONSULTATION AND COUNSELING TO FAM-
10 ILY MEMBERS.—In the case of an individual de-
11 scribed in subsection (b)(1)(A) who is deceased,
12 upon the request of a spouse, child, or parent of that
13 individual, the Secretary shall provide that spouse,
14 child, or parent with consultation and counseling
15 with respect to the results of the examination and
16 tests under paragraph (1)(A) or the results of an ex-
17 amination similar to that examination with respect
18 to that individual.

19 (e) OUTREACH.—

20 (1) ONGOING OUTREACH TO INDIVIDUALS LIST-
21 ED IN THE REGISTRY.—The Secretary shall, from
22 time to time, notify individuals listed in the Registry
23 of significant developments in research on the health
24 consequences of potential exposure to radiation re-
25 lated to service at Enewetak Atoll during the period

1 beginning on January 1, 1977, and ending on De-
2 cember 31, 1980.

3 (2) EXAMINATION OUTREACH.—The Secretary
4 shall carry out appropriate outreach activities with
5 respect to the provision of any health examinations
6 (including any diagnostic tests) and consultation and
7 counseling services under subsection (d).

8 (f) DEPARTMENT OF DEFENSE INFORMATION.—The
9 Secretary of Defense shall furnish to the Secretary of Vet-
10 erans Affairs such information maintained by the Sec-
11 retary of Defense as the Secretary of Veterans Affairs con-
12 siderers necessary to establish and maintain the Registry.

13 (g) INDEPENDENT STUDY.—

14 (1) IN GENERAL.—The Secretary of Veterans
15 Affairs shall provide for a study on the potential ex-
16 posure of individuals to radiation related to service
17 at Enewetak Atoll at any time during the period be-
18 ginning on January 1, 1977, and ending on Decem-
19 ber 31, 1980.

20 (2) INDEPENDENT ENTITY.—The study re-
21 quired by paragraph (1) shall be carried out by an
22 entity that—

23 (A) has experience conducting studies with
24 respect to the exposure of individuals to radi-
25 ation; and

1 (B) is not affiliated with the Department
2 of Veterans Affairs.

3 (3) DEADLINE FOR COMPLETION.—The study
4 required by paragraph (1) shall be completed not
5 later than one year after the date of the enactment
6 of this Act.

7 (h) ANNUAL REPORT.—

8 (1) IN GENERAL.—Not later than two years
9 after the date of the enactment of this Act, and not
10 less frequently than annually thereafter, the Sec-
11 retary of Veterans Affairs shall submit to the Com-
12 mittee on Veterans' Affairs of the Senate and the
13 Committee on Veterans' Affairs of the House of
14 Representatives a report on the Registry.

15 (2) ELEMENTS.—Each report required by para-
16 graph (1) shall include the following:

17 (A) The number of veterans included in
18 the Registry.

19 (B) Any trend in claims for compensation
20 under chapter 11 or 13 of title 38, United
21 States Code, with respect to veterans included
22 in the Registry.

23 (C) A description of the outreach efforts
24 made by the Secretary under subsection (e)

1 during the one-year period ending on the date
2 of such report.

3 (D) Such other matters as the Secretary
4 considers appropriate.

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