

103^D CONGRESS
2^D SESSION

H. R. 4292

To require the Secretary of Energy to report on certain radiation experiments,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 1994

Mr. MARKEY introduced the following bill; which was referred to the
Committee on Energy and Commerce

A BILL

To require the Secretary of Energy to report on certain
radiation experiments, 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 “Radiation Experimen-
5 tation Victims Act of 1994”.

6 **SEC. 2. REPORT ON CERTAIN RADIATION EXPERIMENTS.**

7 Not later than 1 year after the date of the enactment
8 of this Act, the Secretary of Energy shall submit to the
9 Congress a report on all experiments that exposed individ-
10 uals to radiation and were conducted or funded (in whole

1 or in part) by the Department of Energy, the Atomic En-
2 ergy Commission, or the Energy Research and Develop-
3 ment Administration. The report shall include the
4 following:

5 (1) A statement of the number of such radi-
6 ation experiments that, in the determination of the
7 Secretary, provided no therapeutic or medical benefit
8 to the individuals who were the subjects of such ex-
9 periments.

10 (2) An explanation of the nature of each such
11 experiment.

12 (3) For each such experiment, a statement of
13 the number of individuals who were the subject of
14 the experiment.

15 (4) A statement of the extent to which the Sec-
16 retary has—

17 (A) notified each individual who was the
18 subject of any such experiment of the nature of
19 the experiment; and

20 (B) provided to each such individual medi-
21 cal information on possible adverse effects on
22 the individual as a result of participation in the
23 experiment, available treatments for such ef-
24 fects, and likely sources of such treatment.

1 **SEC. 3. PLAN FOR CONDUCT OF HEALTH STUDIES.**

2 The Secretary of Energy shall, after consulting with
3 the Secretary of Health and Human Services, develop a
4 plan to conduct appropriate studies of the long-term
5 health effects of the experiments described in section 1
6 on the individuals referred to in such section and on the
7 natural children of such individuals.

8 **SEC. 4. RECOMMENDATIONS FOR COMPENSATION.**

9 (a) IN GENERAL.—Not later than 6 months after the
10 date of the enactment of this Act, the Secretary of Energy
11 shall submit to the Congress the Secretary's recommenda-
12 tions regarding the appropriate compensation, if any, for
13 the following:

14 (1) An individual described in section 1 who has
15 contracted a disease which is related to exposure to
16 radiation. The Secretary shall make recommenda-
17 tions regarding whether compensation is appropriate
18 in the case of any such individual if a causal rela-
19 tionship between the contract of the disease and the
20 individual's participation in an experiment referred
21 to in section 1 cannot be established.

22 (2) The natural child of an individual referred
23 to in paragraph (1) if the natural child has con-
24 tracted a disease which is related to exposure to ra-
25 diation. The Secretary shall make recommendations
26 regarding whether compensation is appropriate in

1 the case of any such natural child if a causal rela-
2 tionship between the contract of the disease and the
3 participation of the natural child's parent in an ex-
4 periment referred to in section 1 cannot be estab-
5 lished.

6 (3) An individual who, in the determination of
7 the Secretary, otherwise has been wronged by the
8 conduct of an experiment referred to in section 1.

9 (b) CONSULTATION.—The Secretary of Energy shall
10 consult with the Attorney General and the Assistant Sec-
11 retary of Energy for Environment, Safety and Health
12 in preparing the recommendations required by subsection
13 (a).

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